



CHELTENHAM

BOROUGH COUNCIL

**Notice of a meeting of
Overview & Scrutiny Committee
Monday, 10 September 2018
6.00 pm
Pittville Room - Municipal Offices**

Membership	
Councillors:	Chris Mason (Chair), Klara Sudbury (Vice-Chair), Sandra Holliday, John Payne, Paul Baker, Max Wilkinson, Dilys Barrell, Iain Dobie, Jo Stafford, Dennis Parsons and Tim Harman (Reserve)

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

Agenda

1.	Approx. timings	APOLOGIES Councillor Chris Mason (the vice-Chair Councillor Klara Sudbury will be chairing the meeting)	
2.		DECLARATIONS OF INTEREST	
3.		MINUTES OF THE LAST MEETING To approve the minutes of the last meeting held on 25 June 2018	(Pages 3 - 12)
4.		PUBLIC AND MEMBER QUESTIONS, CALLS FOR ACTIONS AND PETITIONS	
5.		MATTERS REFERRED TO COMMITTEE	
6.	6.05 pm	CABINET BRIEFING A verbal update from the Cabinet on key issues for Cabinet Members which may be of interest to Overview and Scrutiny and may inform the O&S workplan.	
7.	6.10 pm	UPDATES FROM SCRUTINY TASK GROUPS An update from the chair of the Urban Gulls scrutiny task group and to agree the one page strategy	(Pages 13 - 14)
8.	6.20 pm	NEW SCRUTINY REGISTRATION FORMS To consider a new scrutiny registration form from Councillor Parsons	(Pages 15 - 16)
9.	6.25 pm	REVIEW OF SCRUTINY WORKPLAN Review of the scrutiny workplan and prioritisation of any new items	(Pages 17 - 20)

10.	6.30 pm	SCRUTINY ANNUAL REPORT TO COUNCIL To approve the annual report to Council	(Pages 21 - 30)
11.	6.35 pm	FEEDBACK FROM OTHER SCRUTINY MEETINGS ATTENDED Gloucestershire Health and Care O&S Committee 10 July 2018 – brief update from Councillor Horwood Gloucestershire Economic Growth O&S Committee 5 September – brief update from Councillor Paul McCloskey Police and Crime Panel 13 July 2018 - brief update from Councillor Jonny Brownsteen	
12.	6.50 pm	PARKING STRATEGY IN CHELTENHAM GCC Cabinet Member Councillor Nigel Moor and Philip Williams, Lead Commissioner – GCC have been invited to give a presentation followed by a Q and A session (line of questioning attached). The CBC Cabinet Member Development and Safety, Councillor Andrew McKinlay and Mike Redman, Executive Director Environment will be in attendance to answer any relevant questions.	(Pages 31 - 34)
13.		LOCAL GOVERNMENT ACT 1972 - EXEMPT INFORMATION The committee is recommended to approve the following resolution:- “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 To approve the exempt minutes of the last meeting held on 25 June 2018	(Pages 35 - 36)
15.		DATE OF NEXT MEETING 29 October 2018 6 pm	

Contact Officer: Beverly Thomas, Democracy Officer, 01242 775153 **Email:** democratic.services@cheltenham.gov.uk

Overview & Scrutiny Committee

**Monday, 25th June, 2018
6.00 - 9.05 pm**

Attendees	
Councillors:	Chris Mason (Chair), Klara Sudbury (Vice-Chair), Sandra Holliday, John Payne, Max Wilkinson, Dilys Barrell, Iain Dobie, Jo Stafford, Dennis Parsons, Tim Harman (Reserve) and David Willingham (Reserve)
Also in attendance:	Councillor Steve Jordan and Councillor Rowena Hay

Minutes

1. APOLOGIES

Councillor Baker had given his apologies and Councillor Willingham was attending as a substitute.

2. DECLARATIONS OF INTEREST

None declared.

3. MINUTES OF THE LAST MEETING

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

RESOLVED that the minutes of the last meeting held on 23 April 2018 were approved and signed as a correct record.

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

None received.

5. APPOINTMENT OF BUDGET SCRUTINY WORKING GROUP

Following receipt of five nominations it was

RESOLVED that Councillors Atherton, Babbage, Britter, Horwood and Payne be appointed to the budget scrutiny working group.

It was noted that the Chair and vice-Chair would be appointed at the first meeting.

6. END OF YEAR PERFORMANCE REPORT

The Strategy and Engagement manager introduced the report which reviewed the corporate performance of the organisation at the end of the financial year 2017/18 and invited comments and observations from the committee. This was also an opportunity for the committee to make requests for any further information which would help them review performance in the future. The oversight of performance by overview and scrutiny was an important part of the process and their feedback was very valuable. He highlighted the progress against the 82 milestones set out in paragraph 3.1 of the report and invited questions and comments from Members. The following issues were raised:

- ENV7 was listed as a red risk and this raised a concern about the apparent lack of collaborative working with the county council (GCC). This seemed to cause difficulties for councillors trying to resolve highways issues in their wards. Any perceived lack of communication between two local authorities was a concern regardless of political party and the public just wanted their issues resolved.
 - The officer was not in a position to comment further but would be happy to take away an action to circulate more information in liaison with the MD place and growth. .
 - The Leader invited to speak by the Chair added that the sheer volume of work for GCC and the level of expectation did cause issues. He was more than willing to work with the county and the council was awaiting feedback on their offer to devolve some of the county's transport responsibilities to the Borough Council.
- The council's involvement in the Cheltenham Spa railway station was raised where there were difficulties in engaging with Network Rail particularly regarding parking nuisances to local people in the area.
 - The Leader advised that the council was represented on a stakeholder group for the station working with Network Rail, Stagecoach, GWR and the county council and they were encouraging the rail companies to maximise consultation with local residents.
- Regarding ECON 2 to promote cyber-growth the Leader clarified the bidding process and that the council were currently working with the developer, the LEP and the county council on an acceptable package which would release the funding for the road infrastructure work.
 - the MD Place and Growth added that it was a 3 year programme currently in mid year one and there was an expectation that there would be much clearer project outcomes in four months time.
- The Director of Planning advised that there would be some changes to the Local Plan before it is submitted and these would be discussed with the Planning and Liaison Member working group as set out in the resolution of the Council meeting.
- The request to use inclusive language when talking about improvements to the public realm was noted.
- The Leader confirmed that within the public realm any surfaces would be weight-bearing where there was vehicular access.
- A Member raised a concern that 'domestic abuse awareness week' in COM7 was not a celebration event and did not correctly reflect the 16 days of action.
 - The officer noted the need to be careful with language and highlighted that COM7 referred to a range of community building and celebration events and the events planned in connection with the 16 days of action

were all designed to raise awareness of this issue. He would be happy to have a discussion with the Member outside the meeting to discuss events planned for November.

- ECON 4 - 7 – the officer confirmed that the council was working with other partners to develop the tourism strategy which would help to promote both Cheltenham and the Cotswolds.

The Chair thanked the officer for his report.

7. FEEDBACK FROM OTHER SCRUTINY MEETINGS ATTENDED

Councillor Paul McCloskey had circulated an update from the meeting of the Gloucestershire Economic Growth Overview and Scrutiny committee he had attended on 20 June 2018. The report highlighted the plans for subnational transport bodies (SNTBs) and the implications for the South West. He also updated the committee on an important debate on the possibility of the AONB becoming a National Park and the decision that a scrutiny task group at the county should undertake a study of the implications. A more detailed briefing note on this proposal had been circulated to Members at the meeting tonight.

There was some concern that if a National Park was set up it could become its own planning authority taking in some parts of Cheltenham and there would be a concern if the council lost any significant planning powers.

The Chair asked the MD Place and Growth to provide more information on the process and whether the council would be able to veto any proposal to become a National Park. This was agreed.

Councillor Martin Horwood had only been appointed as the council's representative on the Gloucestershire Health and Care O&S Committee after their last meeting on 8 May but was able to give a brief update on the issues raised. These included an update on the non-emergency patients transport services where the contract with the current provider had been extended to 2019. The committee had also had an annual report from the Director of Public Health where there had been an interesting discussion about child health issues. Councillor Dobie, in his capacity as a County Councillor, had also attended the meeting and he updated the committee on the increase in debt of £10 million announced at the meeting. This had resulted from errors in an IT system used for billing operations. There was a concern that this deficit may have a knock-on effect on service delivery but they had been assured by the NHS Trust that this would not be the case however this did not preclude changing the way services were provided.

A Member expressed the view that the IT systems used by the Gloucestershire NHS Trust were 10 years behind the times and one of the poorest in the country and a decent ICT system with facilities to transfer results between Gloucester and Cheltenham could help prevent closure of services at Cheltenham.

The committee agreed that it would be useful to invite the Director of Public Health to a future meeting of this committee and the strategy and engagement manager agreed to progress this.

Other points that the committee wished to raise with the Health and Care O&S committee were that integrated care systems for Gloucestershire should continue to be run by the NHS and a request was made for Telecare services to be looked at.

Councillor Horwood highlighted a number of events being held in July which Members may like to attend.

8. CABINET BRIEFING

The Leader reminded Members of the 2050 Vision Member Seminar being held on Thursday at 5.30 pm.

As the Borough representative on the Gloucestershire Economic Growth Committee he acknowledged the risk of confusion between the role of that committee and its overview and scrutiny committee and he agreed that the AONB proposal need to be looked at very carefully.

He was pleased to report that the LEP was now resourced sufficiently to reintroduce the tourism group and all districts would be involved.

Following his attendance at the overview and scrutiny training session earlier that evening, he would welcome an open conversation on how the Executive interacted with scrutiny and any changes the committee would like to see to strengthen this working relationship.

9. NEW SCRUTINY REGISTRATION FORMS

Scrutiny registration forms for four suggested topics had been circulated with the agenda and these were discussed in detail by the committee.

Urban Gulls

Councillor Sudbury presented the scrutiny registration form which she had submitted on behalf of Councillors Barrell and Harman. She along with the other councillors had received many e-mails on this issue in the lead up to elections in May. The Urban Gulls Forum had been useful and this suggested task group did not set out to replace it, however the task group could bring all the evidence together in a more formal way and make an evidence-based request for more investment.

Councillor Barrell supported the proposal and suggested that the issue of gull proofing for new builds should also be considered in planning.

A Member added that local residents have suggested specific schemes in Bath and Hereford which they would like the council to look at. He acknowledged that they may be more expensive options than the current ones adopted by the council. There had also been problems with gulls at the Lido intimidating children eating food. Another Member raised the issue of food waste from fast food premises and suggested the task group look at the council powers for street litter control and the public health issues associated with bird mess.

A Member stated that a better focus for scrutiny would be to challenge why the Urban Gulls Forum was not working effectively and why the forum was not coming up with recommendations for the Executive to consider.

Councillor Sudbury advised that the former had been going for many years and did not have the right structure going forward and she felt it had gone as far as it could go. It was now Chaired by Councillor Harman but it only met twice a year. The Chair of O&S added his opinion from the 3 meetings he had attended that the forum was largely a talking shop and had no real authority and he thought an evidence-based review would be appropriate.

The managing director place and growth advised that it was an important issue for Cheltenham but there were only a limited number of options for dealing with the problem and additional budget may be required for other solutions. He flagged that a scrutiny task group would require officer support so it was important that the scope was carefully defined.

The Chair in his summing up noted that if there were budget implications any recommendations would need to come forward within the timescales for the budget process. The task group would need to review what had already been done and the evidence had already been collected.

RESOLVED that

- i) a scrutiny task group should be set up**
- ii) the proposers of the scrutiny task group work with the MD Place and Growth to define potential terms of reference for the task group**

Cheltenham Transport Plan

Councillor Sudbury introduced the scrutiny registration form which she was proposing should scrutinise phases 1-3 of the Cheltenham Transport Plan and to provide overview and scrutiny of Phase 4, the Boots Corner Experimental TRO with the outcomes as set out on the form. She felt it was the biggest change that had happened in Cheltenham town centre for some time and scrutiny to date had not been as good as it could be. She felt scrutiny involvement at this stage would improve democracy, enhance member engagement and potentially improve accessibility for all residents.

The Chair invited comments from the MD Place and Growth. He referred to the comments and suggestions made by the director of planning in the officer implications section of the form. The approach recommended would provide a way of Members reviewing progress but without any risk of interrupting the TRO process. The information on the outcomes of phases 1-3 was already available and it was just a matter of finding a suitable format in which to present it to Members.

In response to a question about whether the council had sufficient baseline data to monitor changes going forward, the officer advised that traffic models had been set up based on existing traffic flow and real-time monitoring would be taking place. Officers could bring this information back to Members but it was important to allow a reasonable length of time for traffic flow to level out after any significant changes and it would be a matter of judgement what constituted success or failure. A Member commented data should also be collected on numbers of car drivers shifting to journeys on foot or bicycle and another member suggested shifts to public transport should be monitored as well.

A Member challenged the value of evaluating phases one to three which were not doing the job they were intended to do until phase 4 had been fully implemented.

The proposer of the topic, Councillor Sudbury, challenged whether phases 1-3 could be considered a success and gave examples of long waits for pedestrians crossing by the Swallow Bakery and difficulties with the exits from the Regent arcade car park. She felt it was important to scrutinise the process that had been followed in a level of detail which would not be possible in a meeting of this type.

Upon a vote the Members

RESOLVED THAT

- i) a scrutiny task group would not be set up at this time**
- ii) The MD Place and Growth would arrange for officers from the county council to give a presentation to this committee within 2 months on the implementation of Phases 1-3, an update on findings from the monitoring data and resultant changes made to enable the trial of phase 4.**
- iii) Scrutiny Committee to receive an update report on monitoring against an agreed timeline, enabling Committee to engage directly with officers on potential modifications/interventions during the course of the trial.**
- iv) Officers to provide a regular update to O&S on future progress and timescales thereafter**
- v) Scrutiny to receive a review of the TRO consultation responses and undertake a review of the Cheltenham Transport Plan as a whole (phases 1 – 4) and for GCC to consider this as formal evidence ahead of a decision being made on the outcome of the trial.**

Events Impact and Consultation

Councillor Willingham as the proposer of the Events Impact scrutiny topic presented the registration form. Whilst he considered a variety of events were great for boosting the economy of the town there were issues about consultation beyond the licensing of an event. Local people needed to have their say earlier in the process especially where the event was being held on council owned parkland. There had been concerns expressed about the noise at the Jazz Festival and residents felt there was nothing they could do to challenge this and ensure some action was taken.

Another Member was primarily concerned with the way the licensing process took place where it was down to the applicant to publicise notices ahead of their event to alert local residents. There was a risk that they would do as little as possible resulting in minimal consultation and if the ward councillor was not made aware of the event they could not assist in raising awareness with local residents. Once a licence had been granted it could not be easily withdrawn without a catalogue of evidence and he cited a recent example of the license issued to the Cheltenham Football Club for the recent Steps concert which now provide a license for live music seven days a week until 11.30 pm.

Another Member felt the parks should provide areas of quiet relaxation for local residents to enjoy. They had been particularly concerned at the plans for the Chilli Festival to be held in Sandford Park where no licence had been needed and therefore there had been no consultation with residents and ward councillors in adjoining wards. There must be a balance in the Place strategy, whilst encouraging events this should not be at the expense of residents paying the price locally.

The Chair highlighted the Jazz Festival where there had been many meetings where residents had produced evidence that noise had exceeded national guidelines. He emphasised that residents were not saying that the town should not have festivals but there was a question as to whether the council should be allowing its land to be used when they are aware that national guidelines are being broken.

On the wider topic of consultation, a Member suggested that typically responders to consultation would be male and over 50 and it was important to try and consult with people who were not currently talking to the council.

Members concluded that they needed to be more aware of the events consultation process and would welcome more information at this committee.

The MD Place and Growth referred to the officer comments in the implications section of the report and the suggestion that the evolving events project could review the process and develop engagement proposals which could then be reviewed with overview and scrutiny.

The strategy and engagement manager advised the committee that the council had a number of documents which may be of interest to the committee in pursuing the second scrutiny topic suggested by Councillor Baker namely:

1. the council's consultation strategy produced in 2004
2. the statement of community involvement
3. caselaw around consultation
4. recently issued consultation guidelines from government

He added that there was always more scope for wider consultation but this had to be balanced with officer capacity.

RESOLVED THAT

- i) **the various documents suggested by the strategy and engagement manager should be circulated to members of the committee**
- ii) **the report of the scrutiny task group that had looked at the events would be circulated and the committee to receive an update report at a future meeting on existing mechanisms for moderating and mitigating the impact of events (including noise) and whether these are being utilised in the most effective way possible**
- iii) **that the Commercial Expansion of Events Infrastructure (Events) project process improvements and engagement proposals continue to be developed by officers and shared with**

- iv) **Scrutiny, for feedback, prior to being put forward to Cabinet for approval
the committee could then decide its next steps if any further work is needed.**

10. REVIEW OF SCRUTINY WORKPLAN

The scrutiny workplan had been circulated with the agenda and was noted.

11. ARLE NURSERY STRATEGIC REVIEW

The Chair reminded Members that they would need to go into exempt session if they wanted to discuss the business case or exempt risks.

The Director of Corporate Projects introduced the report which set out the options for the Arle Nursery site. This report followed on from the Cabinet decision in December 2017 to adopt a mixed public realm planting scheme within the Borough thereby reducing the requirement for annual bedding plant stocks to be grown in the Nursery. Annual bedding plants would be retained in the Long Garden and Imperial Gardens. Falling revenue from the nursery sales of bedding plants for commercial use and the substantial investment required at Arle Nursery had prompted this review. The Cabinet was due to make a decision in July 2018 and the project team welcome feedback and comments on the options presented or the committee's view on anything missing from the analysis that had been done.

A Member made an observation that there was more priority for affordable housing in the town centre.

A Member asked whether there was a risk that in the future the council may be left with no commercial supplier of bedding plants or that one supplier may have a monopoly and could set prices over the odds. Would the council be able to maintain Cheltenham in bloom and keep the town looking nice?

Officers acknowledged the risk but thought that more nurseries may open as others close. The Cabinet Member Finance added that this could open up new opportunities for local suppliers as there were a number of independent nurseries in the Cheltenham area.

A Member was uncomfortable with the sequence of events which had led to the logical conclusion set out in the report and put the council in an extremely advantageous position. The site had first been taken out of the green belt and the council had underinvested in the nursery to such an extent that it was now financially unviable to maintain it. There had been strong support to maintain traditional planting in areas of the town. Perennial planting required a lot more maintenance and in his opinion it was already evident from the appearance of such an area in Prestbury that this was inadequate.

In response to a question from the Chair about how the site would be marketed, officers advised that there will be a full market evaluation and they would look for other agencies who might be able to work with the council to develop the

site. The Cabinet Member advised that she was unable to give any more details in public session. She explained that the site also adjoined private land, which already had planning permission for new build, and land owned by GCC. Initially GCC had not been interested in disposing of the land but this situation had now changed and further discussions would take place with the county if the Cabinet made the decision to dispose of the site. The aim would be 40% affordable housing in any new build.

Following a summing up by the Chair it was

RESOLVED that the report and its recommendations be supported by the committee.

12. LOCAL GOVERNMENT ACT 1972 - EXEMPT INFORMATION

13. UPDATE ON NORTH PLACE

The Managing Director Place and Growth introduced the exempt briefing note which had been circulated which updated Members on the current status of the significant North Place parcel of land and the negotiations taking place with the owner of the site.

14. DATE OF NEXT MEETING

10 September 2018.

Chris Mason
Chairman

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(DRAFT) SCRUTINY REVIEW – ONE PAGE STRATEGY

FOR COMPLETION BY THE OVERVIEW AND SCRUTINY COMMITTEE	
Broad topic area	Urban Gulls
Specific topic area	Cheltenham Borough Council's approach to reducing the urban gull population.
Terms of Reference for the review	<ul style="list-style-type: none"> Reducing the availability of food sources – for example through public engagement and education Fully understand the barriers/challenges in treating gull nests and consider options that would overcome those barriers/challenges. Making properties less attractive as nesting sites; and The availability of funding sources/incentives to assist with gull-proofing measures.
Outcomes	<p>A comprehensive report on the issue, reported to O&S and to Cabinet, to help councillors as well as members of the public understand more about gulls and what the council can reasonably do to control and reduce the gull population.</p> <p>Deliver an evidence-based set of findings and recommendations, to enable the more effective control of the numbers of problem urban gulls in residential areas.</p>
How long should the review take?	The report of the working group should conclude in time to allow recommendations to feed into the Borough Council's budget process for 2019-20.
Recommendations to reported to:	CBC's Overview and Scrutiny Committee and Cabinet to inform any funding request through the budget setting process for 2019-20.
Membership:	Cllrs Diggory Seacome, Klara Sudbury, Dilys Barrell, Tim Harman (?)
FOR COMPLETION BY OFFICERS	
Officers experts and witnesses	Mark Nelson – Enforcement manager Duncan Turner – Pest control officer
Sponsoring officer	Mike Redman – Director of Environment
Facilitator	Sophie McGough – Democratic Services
FOR COMPLETION BY THE SCRUTINY TASK GROUP	
Are there any current issues with performance?	<ul style="list-style-type: none"> The current arrangements whereby council resource is invested mainly in business areas such as Kingsditch and the town centre are effective in reducing the overall gull population in the town, but are considered ineffective in dealing with problems in often densely populated, residential areas. The high level of dissatisfaction of many local residents has been expressed by emails to councillors and council officers in recent months, as well as feedback received about the council's response to the problem at meetings of the Urban Gulls Forum.

	<ul style="list-style-type: none"> • There have been barriers to getting properties bird-proofed, particularly in residential areas. • It is difficult and costly to identify nesting sites in residential areas. • The management of the operation of the civic amenity site at Swindon Road has been identified as an issue, providing a food source for the gull population • Bins provided around the town are generally not of a design which is gull-proof • Discarded takeaway food can be an issue in and around the town.
Other experts and witnesses	To be agreed
Other consultees	Members of the Urban Gull Forum Cheltenham BID Trader organisations
Background information	Circulated
Suggested method of approach	To be agreed
How will we involve the public/media? Or at what stages	Various methods including through social media, drop in meeting etc.
Preferred timing for meetings	Fortnightly. Initial meeting proposed on 15 th August and 29 th August at 3 pm in the Montpellier room.



SCRUTINY TOPIC REGISTRATION

Date:	16 August 2018
Name of person proposing topic:	Dennis Parsons
Contact:	07540 398914
Suggested title of topic:	Travellers and other unlawful occupants of council land
What is the issue that scrutiny needs to address?	
<p>We receive a large number of complaints from residents every time Travellers and/or other groups camp for a few days without the permission of the landowner, whether that be council or private. For them, it can mean a loss of amenity as residents are uncomfortable and often fearful of using public parks when such groups are there, often with large numbers of dogs.</p> <p>Every unauthorised encampment on council land costs the council a four figure sum in officer time, legal fees and other costs associated with taking court action to move them on followed by clearing the rubbish that is always left behind.</p>	
What do you feel could be achieved by a scrutiny review (outcomes)	
<p>Council staff have a practised procedure for dealing with encampments once they are here. Legal requirements are such that this is not a quick fix. A scrutiny review could do two things:</p> <ol style="list-style-type: none"> 1) Research attempts at solving this problem by other local authorities to see whether any might work here; and 2) Consider prevention rather than cure i.e. what steps the Council could take to protect some of the more vulnerable Council-owned sites. 	
If there a strict time constraint?	Not really
Is the topic important to the people of Cheltenham?	To those affected by these encampments, it is very significant.
Does the topic involve a poorly performing service or high public dissatisfaction with a service?	There is high public dissatisfaction with the way the problem is dealt with currently.
Is it related to the Council's corporate objectives?	
Any other comments:	

Officer Implications:

None at this stage.

DRAFT

Item	Outcome	What is required?	Report Author/Presenter
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Meeting date: 10 September 2018 (report deadline: 29 August)

Parking strategy in Cheltenham	GCC and CBC Cabinet Members and lead officers attending Councillor Nigel Moor and Philip Williams, Lead Commissioner – GCC Councillor Andrew McKinlay) and Mike Redman CBC	A presentation followed by Q&A	No report but line of questioning agreed
Urban Gulls Scrutiny task group	Agree one page strategy	Decision	Democratic Services Chair of STG Cllr Sudbury
Scrutiny annual report	Endorse draft scrutiny annual report and forward to Council for comment	Decision	Democratic Services

Meeting date: 29 October 2018 (report deadline: 17 October)

CTP	Review the implementation of Phases 1-3 and resultant changes made to enable phase 4 Update on phase 4 <i>(as agreed at June O&S meeting)</i>	Presentation followed by Q&A	Scott Tompkins Lead Commissioner Highway Authority <i>(confirmed)</i>
Taxi policy	Update on the consultation	Report	Louis Krog <i>(confirmed deliberations will be concluded by end of August)</i>
Publica Annual Report	Review the annual report (and performance) of Publica	Discussion	Dave Brooks (Chair) and David Neudegg (MD)) <i>(confirmed)</i>

Meeting date: 26 November 2018 (report deadline: 14 November)

Leisure@ Redevelopment	Update requested by O&S on review of lessons learnt	Report	Jane Stovell Cabinet Member Healthy Lifestyles
Urban Gulls Scrutiny task group	Report of the task group to endorse and recommend to Cabinet	Decision	Sophie McGough Chair of STG Cllr Sudbury

O&S Committee 2017/18 work plan

Item	Outcome	What is required?	Report Author/Presenter
Events	Update on events following previous scrutiny task group and mitigation measures and update on the commercial expansion of events project and how the strategy will deal with some of these issues raised by O&S <i>(requested by O&S at the June meeting)</i>	Report	Louis Krog/Jane Stovell <i>(discussed with both)</i>
Quarter 2 performance	Consider performance and comment as necessary	Discussion	Richard Gibson
Meeting date: 14 January 2019 (report deadline: 02 January 2019)			
Budget proposals (2019-2020)	Consider views of the BSWG on the budget proposals for the coming year	Discussion	Chair of BSWG
Meeting date: 11 February 2019 (report deadline: 30 January 2019)			
Draft Corporate Strategy	Consider the draft Corporate Strategy and comment as necessary	Discussion	Richard Gibson
Meeting date: 1 April 2019 (report deadline: 20 March 2019)			
Meeting date: 3 June 2019 (report deadline: 22 May 2019)			
End of year performance	Consider performance and comment as necessary	Discussion	Richard Gibson
Meeting date: 1 July 2019 (report deadline: 19 June 2019)			

Item	Outcome	What is required?	Report Author/Presenter
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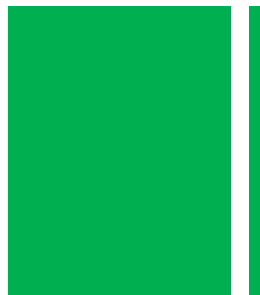
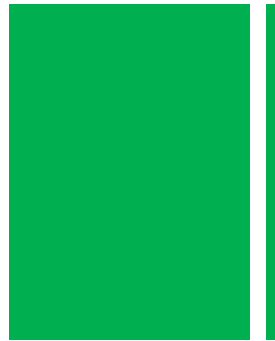
Items for future meetings (a date to be established)			
Public Health improvements	Update on public health issues	Presentation and questions	Director of Public Health Richard Gibson to arrange
North Place	Further update as necessary	Ongoing	Tim Atkins
Cheltenham Spa Railway Station STG	Review progress against recommendations 12 months on	12 months on from Cabinet response (not yet scheduled on forward plan)	
Cycling and Walking STG recommendations	Review progress (further update will be delayed until further progress has been achieved in this area)	2018	TBC
Gloucestershire Airport Ltd	An update on the governance review and chance to meet the Board	2018	Tbc
Indices of Deprivation (work ongoing)	Raised as a possible STG. The committee have heard from CBH on the Masterplan and the Communities Partnership on their work and now need to decide if and how they want to scrutinise this issue	Tbc	CBH / Communities Partnership
Police and Crime Commissioner	Invite the P&CC along to give an overview of performance and highlight any issues	Tbc	Martin Surl, P&CC
CBH Masterplan	A member seminar arranged at the request of the O&S Committee	11 October 2019	Paul Stephenson and Peter Hatch (CBH)

Item	Outcome	What is required?	Report Author/Presenter
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	(DSU to make necessary arrangements and to communicate to members nearer the time)		
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Annual Items			
Budget proposals (for coming year)	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	September	Democracy Officer	
Publica Annual Report	October	Dave Brooks (Chair) and David Neudegg (MD)	
Quarter 2 performance review	November	Richard Gibson, Strategy and Engagement Manager	
Outstanding Actions from previous meetings			
EOY Performance – circulate more info on ENV7 Collaborative working with GCC	25 June	Tim Atkins/Richard Gibson	

**Scrutiny Annual Report 2017 – 2018
(A summary of highlights)**



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Chair of Overview and Scrutiny Committee from May 2018: Councillor Chris Mason



As the newly elected Chairman of the Overview and Scrutiny Committee, I am pleased to present the Annual Report for 2017/18.

I would like to thank Councillor Tim Harman, former Councillor Jon Walklett and Councillor John Payne for their contributions to the work of the committee during the year and I look forward to working with Councillor Payne and my new vice-chair Councillor Klara Sudbury during the coming year.

The committee is responsible for co-ordinating the Overview and Scrutiny function within the authority. It commissions scrutiny task groups to carry out the detailed work ensuring that they have clear terms of reference. It is also responsible for receiving and determining how call-ins of Cabinet decisions should be dealt with.

My vision for the future is that scrutiny should be a powerful tool to enable all members of the Council who are not part of the Executive to hold the Cabinet to account on behalf of the electorate but also to act as a critical friend in helping to develop new policies and ideas. Most important to me is that scrutiny makes a difference and achieves positive outcomes for the people of Cheltenham.

Councillor Harman as the outgoing chair had this to say about the past year for O&S:

"As well as ongoing monitoring of performance across the council, the committee has played a key role in providing input to the developing Place Strategy and Corporate Strategy. We have also requested regular updates on important projects such as North Place, West Cheltenham, Gloucestershire Airport, the Public Realm planting strategy and Leisure@ redevelopment, Waste and Recycling, and the cremators. We are providing input at key stages and holding the Cabinet and officers to account, a key part of our overview and scrutiny role.

Call-in is an essential part of the democratic process which ensures that any decisions taken by Cabinet are taken in accordance with the rules set out in our Constitution. Call-in should not be seen as a failure of decision making but rather a robust challenge to ensure high standards of decision making are maintained. We had two call-ins this year – the first in June 2017 was a call-in of the decision on the application for designation of a neighbourhood area and neighbourhood forum by the Springbank neighbourhood forum. The second was a call-in of the revised taxi and private hire licensing policy approved by Cabinet in March 2018. Both call-in meetings considered all the evidence and heard from a variety of witnesses before reaching our conclusions. The first call-in resulted in asking Cabinet to reconsider the Springbank application and Cabinet subsequently upheld their original decision. Regarding the taxi policy the committee concluded that Cabinet's decision had been properly taken but requested that Cabinet initiated further discussions with taxi drivers regarding mitigation measures. Cabinet approved our recommendation and a report on this consultation is due to come back to the committee in October.

Again this year, the committee has given focus to people and organisations that play a key role in the Town, having welcomed, Martin Surl, Police and Crime Commissioner, the

Cheltenham Guardians and we have regular updates from our representatives on health and social care scrutiny and economic growth scrutiny in Gloucestershire.

The committee continued to play a key role in shining a light on issues of concern for the Town. Amongst them, the task group which reviewed the issue of 'street people' and culminated in the recommendation that the authority adopt an integrated, coordinated, multi-agency approach with close partnership working.

As a result of a scrutiny request raised by Councillor Parsons the committee devoted their August meeting to considering the impact of race meetings on local residents and a number of positive steps were taken as a result.

Councillor Willingham raised a topic on the town wide parking strategy and the committee had a wider ranging debate on the issues for Cheltenham at their April meeting and a number of members of the public gave their views."

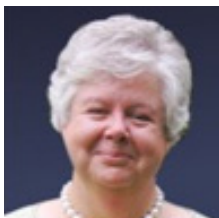
Thanks to Councillor Harman and I am sure you will agree that the committee covered a lot of ground last year. During my time as chair I want to reinforce the role of O&S committee as a planning and co-ordinating body and I would like to see more work carried out in scrutiny task groups where they can adopt more informal ways of working. We already have a task group set up on the impact of Urban Gulls which have been meeting over the summer.

I would also like to strengthen the role of O&S so that they are viewed by Cabinet and Officers as an essential part of the democratic process. These are challenging times for the council and we have big ambitions for Cheltenham so the check and balance that O&S can add will be invaluable going forward.

I would like to take this opportunity to invite all members to contact me and the other lead members with regard to any suggested areas of activity or of issues of concern to Cheltenham and its people and which are appropriate for scrutiny.

Finally special thanks go to Democratic Services who support all out meetings and continue to work behind the scenes to make scrutiny happen and we could not achieve what we have done without all their support.

2. Pat Pratley Chief Executive

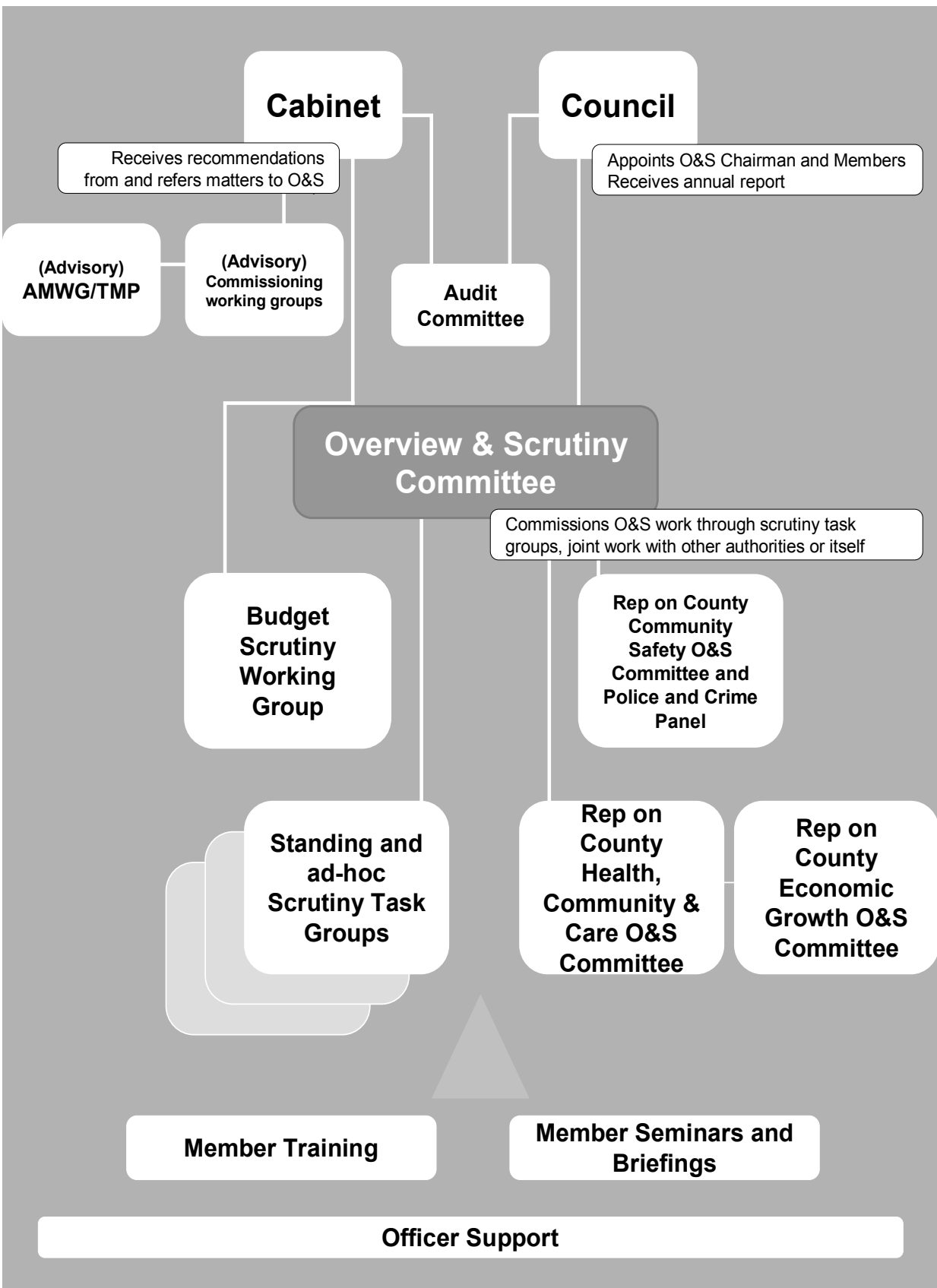


The role that the committee plays in local democracy in holding to account both members and officers is as important as ever, as the authority, the town, and in fact the whole country, continues to experience a period of significant change. It will therefore be important for the overview and scrutiny committee to continue to question, challenge and probe and provide that challenge which adds so much value to our democratic decision making process and the decisions taken by members.

Last December I was interested to read the report from the Communities and Local Government Select Committee following an inquiry into whether the overview and scrutiny model was meeting its objectives and how decision-makers could be best held to account. The Committee's report on overview and scrutiny in local government felt that scrutiny was often not held in high enough esteem, leading to a lack of constructive challenge to improve services for residents. It recommended measures to strengthen the independence of overview and scrutiny committees and I asked our Democratic Services team to reflect on how our O&S arrangements in Cheltenham matched up to these recommendations. I am pleased to say that our arrangements stood up very well in the following areas:

- We do regularly review our scrutiny arrangements - following recommendations from the LGA peer review of 2014, O&S has played a more important role in scrutinising key projects and prioritising its work plan.
- O&S welcomes attendance of Cabinet Members at O&S meetings and their involvement in task groups
- Our Constitution already requires us to have an opposition chair
- Confidential items are shared with O&S when relevant
- We have a designated officer in Democratic Services to support the committee and relevant Members of Exec Board attend to give support when required
- We organise regular officer training and include an introduction to O&S as part of our new Members induction
- We have had Members of the public along to our scrutiny meetings - though we would always welcome more
- We have a protocol in place which underpins any requests we make for officers from other decision making bodies to attend scrutiny to give evidence with regard to the impact decisions made in other places have on Cheltenham

In conclusion it is always good to review the way we do things and I am sure the new chair will be keen to make some changes. I really value the work that scrutiny has done over the past year and as Chief Executive, myself and my Exec Board team will continue to give the members our full support.



4. Scrutiny Task Groups 201-18

4.0 Budget scrutiny working group Chairman: Councillor Matt Babbage

Task group members: Victoria Atherstone, Martin Horwood, Nigel Britter, John Payne.
Officer support: Beverley Thomas

The Budget Scrutiny Working Group is a small but effective group that keeps a careful watch on in-year spend and the developing budget for the following year. During the year we took an active interest in all budget areas. We had our usual opportunity to scrutinise the budget proposals for 2017/18 and we concluded that the group were largely supportive of them and in particular welcomed future property investment as a means of generating a new income. Achieving a balanced budget will continue to be a challenge for this Council and therefore there is a continuing role for the budget scrutiny working group throughout the year.

The Chief Financial Officer commented that " this has been a valuable process which has given members an opportunity to input into the development of the budget proposals and key initiatives which has added value to the process. BSWG have also provided an independent review of the financial performance of the council during the year, as well as considering the final outturn position. The financial position remains challenging and it is both helpful and important to have a forum for deeper consideration of the issues facing the council and wider member influence over the strategy for dealing with it."

4.1 Street People Scrutiny Task Group Chair: Councillor Louis Savage

Task group members: Councillors Colin Hay, Chris Nelson, Dennis Parsons, John Payne, Louis Savage and Simon Wheeler

Officer support: Saira Malin

Set-up in response to concerns from members of the public and local businesses that there had been an increase in the number of 'street people' in Cheltenham, the group were tasked with: establishing the extent and nature of the problem in Cheltenham; understanding the responsibilities and powers of Cheltenham Borough Council and; assessing whether the existing support networks could be more effective.

The task group met on three occasions and spoke to Council Officers and representatives from other agencies and organisations. From the data that was presented it was evident that there had been an increase in the numbers of 'street people' and that a large proportion of these individuals were not in fact homeless. They were instead, begging to fund a drug addiction or to buy alcohol and/or causing a nuisance (littering, urinating and defecating).

Discussions had touched on some of the successes that Gloucester City Council had, had in addressing this very issue through Project Solace. Having met with representatives from Project Solace the group agreed that it represented a proven means of successfully dealing with the issue, and one that Officers at Cheltenham Borough Council had voiced support for.

Prior to the task group submitting their final report to the Overview and Scrutiny (O&S) Committee, Cabinet resolved that Cheltenham Borough Council should join the Solace Partnership to tackle priority anti-social behaviour. This decision was welcomed by the task group, not only because it planned to make this very recommendation, but for the fact that the decision represented a solution to the issues that the task group had identified as part of its review.

Having considered the final report of the task group in June 2017, O&S Committee endorsed the recommendations and commended the task group for producing a report which they felt demonstrated the sensitive and measured approach that the task group had adopted when undertaking the review.

The STG recommendations were accepted by Cabinet on the 11 July 2017 and a briefing on progress came back to O&S in the autumn.

5. Cabinet Member Working Groups

Last year when our Annual Report went to Council, it was suggested that we also mention the work of non-Executive Members on Cabinet Member Working Groups. We would highlight that these are fundamentally different to scrutiny task groups in that they are set up and chaired by the Cabinet Member and their aim is to assist the Cabinet Member in formulating their final report to Cabinet. By contrast scrutiny task groups are scrutiny led and can only make recommendations to Cabinet or Council or another body. However what they do have in common is that very often Cabinet Member working groups are helping to formulate new policy and offer challenge which are both key parts of the overview and scrutiny function.

The working groups this year include:

Cemetery and Crematorium

Waste and Recycling

Asset Management Working Group – property and asset related issues

Planning and Liaison

Newly formed is the Members ICT Working group so we look forward to their report.

6. Overview and Scrutiny – what's next?

- Officers from Gloucestershire County Council are attending our October meeting to discuss the implementation of the Cheltenham Transport Plan.
- We will be following up on our recommendations regarding the taxi policy in October.
- We will be receiving the annual report from Publica in October and will have the opportunity to question the Managing Director and Chair.
- The scrutiny task group looking at Urban Gulls is already underway and aims to report in time for any costing implications of its recommendations to be considered as part of the budget process.

7. Contacts

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SCRUTINY TOPIC REGISTRATION



Do YOU have a topic that you think Cheltenham Borough Council should scrutinise? Please fill out the following form and return to Democratic Services.

Date:	
Name of person proposing topic:	
Contact details: email and telephone no:	
Suggested title of topic:	
What is the issue that scrutiny needs to address?	
What do you feel could be achieved by a scrutiny review (outcomes)	
If there a strict time constraint?	
Is the topic important to the people of Cheltenham?	
Does the topic involve a poorly performing service or high public dissatisfaction with a service?	
Is it related to the Council's corporate objectives?	
Any other comments:	

Overview and Scrutiny Committee

10 September 2018

On-street parking in Cheltenham

Member Questions to Councillor Nigel Moor – Cabinet Member Fire, planning and infrastructure, GCC and Philip Williams, Lead Commissioner GCC

1.	Planning and Consultation
	<ol style="list-style-type: none"> 1. When planning these changes to the parking arrangements what level of consultation has taken place with residents, local businesses and the council? (JP) 2. A county wide list is being prepared of parking areas to be reviewed. What is the envisaged timescale for the review of the areas considered the top priorities? (KS) 3. Are new permit parking areas in Cheltenham being considered? (KS) 4. What provisions are being made for accommodating the additional on-street parking that will be required following the closure of the railway station car park. Can it be confirmed that enough additional parking will be available to prevent even more pressure on availability in areas such as Tivoli. (DB)
2.	Implementation
	<ol style="list-style-type: none"> 1. How are problems during implementation reported and dealt with? 2. Why is GCC unwilling to increase the number of visitor permits from 50 to 100 as many councillors have requested? (DP)
3.	Assessment of parking schemes once introduced
	<ol style="list-style-type: none"> 1. Following the introduction of a number of parking schemes in Cheltenham, what post implementation assessments have been carried out, and when are they going to be published? (JP) 2. Why was a post-implementation review of each scheme not carried out as they were introduced? (DP) 3. What drivers prompted the changes that have been made, and have the changes resulted in the improvements predicted? (JP)
4.	Strategic issues and finance
	<ol style="list-style-type: none"> 1. What work is being done to create a GCC on-street parking strategy that co-ordinates with Cheltenham’s off-street parking strategy? (DW) 2. In what ways does allowing commercial and visitor parking in permit parking areas help encourage people to use more sustainable forms of transport when they come to work or visit our town centre? (KS) 3. How does the county determine the split between residents permit spaces, business spaces and shared user spaces/pay and display? (KS)

	<ol style="list-style-type: none"> 4. Would it be possible to install parking meters that issue tickets free for up to two hours, with drivers having to enter the registration number of the vehicle to make sure this was not abused? Free two hour parking in areas such as Montpellier would be a real boost to the traders in the area. (KS) 5. GCC are responsible for on street parking and CBC is responsible for most of the off street parking. Why should CBC not control both on and off street parking? (JP) 6. How much revenue did the county council receive from on street charges, residents and business permits in Cheltenham in 2017-18? (KS) 7. On street parking in Cheltenham has demonstrable financial benefits to GCC, how does Cheltenham benefit? (JP)
5.	GCC/ CBC Joint working
	<ol style="list-style-type: none"> 1. There appears to be a perception that GCC officers do not always fully engage in joint CBC/GCC projects. Acknowledging that there are incidents where the County is waiting on the Borough could the County give their view on this statement and your thoughts on any improvements that may be made. (CM)
6.	Ward Specific Questions
	Tivoli/Hatherley (Councillor Barrell)
	<ol style="list-style-type: none"> 1. Can it be confirmed that the Tivoli and Hatherley Court Road areas are being included in the post implementation reviews following the Introduction of parking restrictions in the Lansdown area? This was promised at the public meeting, attended by GCC officers, held in the council chamber in Autumn 2017. 2. There are increasing parking problems in the Tivoli, Bournside/Hatherley Court Road, and Bath Road areas following Lansdown restrictions. In desperation, some residents who have previously resisted parking control zones are now requesting them. There is soon to be consultation about the introduction of double yellow lines on corners in these areas which will lessen the availability of parking places. In view of these factors and the increase in demand for commuter parking will CBC and GCC consider the possibility of establishing a Park and Ride on the Leckhampton/Shurdington side of town in line with the Draft Cheltenham Plan Policy TN2.
	St Peter's (Councillor Willingham)
	<ol style="list-style-type: none"> 3. When will the assessment of the parking schemes introduced in St Peter's (Westend/Railway) be published? 4. When will action be taken to address the issue of displaced commuter parking which is, as I predicted, now affecting Arle Road, Alstone Lane, Alstone Avenue, Alstone Croft and other residential roads in that area? 5. When will remedial action to address issues such as missing signs/lines and incorrectly sized parking bays from the Westend and Railway parking schemes be completed? 6. Residents have complained that in some cases the implemented

	<p>parking restrictions on Gloucester Road are more restrictive than the advisory H markings, but this was not clear from the consultation. Residents are aggrieved at the consultation on those areas, feel they were misled by GCC, and want the size of the parking bays modified to match the parking that was previously available. Given GCC have just introduced an ETRO in Lansdown, when can the residents of St Peter's expect to be consulted on similar changes and minor modifications to their parking schemes?</p> <p>7. A number of roads in St Peter's have grass verges, in varying states of repair/disrepair. Some have been significantly damaged by being parked on during wet weather. What does GCC intend to do to address this problem?</p>
	<p>St Lukes (Councillor Sudbury)</p>
	<p>8. What is the ratio of the number of permit or shared use spaces available per registered vehicle in Zone 1?</p> <p>9. What is the ratio of the number of permit or shared use spaces available per registered vehicle in the St Luke's part of Zone 1, specifically St Luke's Road, St Luke's Place, Sandford Street, Mitre Street, Bath Parade, College Road and Olio Lane?</p> <p>10. How many residents permits have been issued in Zone 1?</p> <p>11. How many business permits have been issued in Zone 1?</p> <p>12. How many pay and display/shared permit spaces are available in zone 1?</p> <p>13. Business permits enable commuters to park their cars all day long in Zone 1. This does not produce much churn in parking spaces and means there is little opportunity for residents to find a space if they move their vehicle. What is being done to prevent business permits being used in Zone 1 for commuter parking and being parked all day?</p> <p>14. I have written many emails, arranged site visits, conducted a residents survey and even set up an online petition on the county council website asking for changes to Zone 1 to make it work better for the residents, particularly in St Luke's; a residential area where there are so few commercial properties. What would make the county council review this zone to make it work better for this residential community?</p>
<p>7.</p>	<p>Issues raised by the public which they wanted O&S to raise as part of their review</p>
	<p>1. Concerns about parking displacement in Alstone Croft (raised by 4 residents)</p> <p>The Bramery on Alstone Lane has seen town working commuters parking on site since the displacement, and has introduced its own parking scheme limiting businesses on site to how many permits they can have for each worker. This has in turn displaced both the town working commuters and also workers from the Bramery from parking there. Many town workers are now parking their cars in Alstone Croft and using fold up bicycles to get into town, which is affecting our own residents and their own visitors ability to park outside their own houses, , and many Bramery workers have been observed to be parking in Alstone Croft and walking across to their place of work on a daily basis. We are now suffering the fallout from an ill thought out scheme, which will only get worse when the Boots corner scheme forcing more traffic into residential area's is implemented. Does</p>

anyone involved with decision making process actually live in the area's affected, as scant regard is being given to those who do, and is there any plan to counter this newly manufactured problem!

2. Could the Chairman please ensure that the following parking problem in Gloucester Road is highlighted for investigation when the committee decides how it will investigate parking in Cheltenham.

I've written to Gloucestershire CC on numerous occasions as the amount of available parking on Gloucester Road has been reduced near our house since the introduction of the new parking scheme. The problem started when the the new parking bay was painted in with a large gap between the end of the bay and our neighbours drop kerb. When I parked partly on the new bay and partly on the unmarked piece of road I was approached by two parking enforcement officers who told me I couldn't park like this. I first questioned this in August 2017 and was told that it would be checked. Without coming back to me, however, the unmarked section of road was covered with double yellow lines, reducing the amount of available parking. Despite numerous requests for their removal, the new double yellow lines are still in place, and I cannot see why this additional restriction has been put in place? It does not appear to match the plan and hinders rather than helps our parking issues.

3. Could the Chairman please ensure that the problem of reduced parking and ineffectively used visitors bays in Great Western Terrace is highlighted for investigation when the committee decides how it will investigate parking in Cheltenham?.

4 visitors parking bays were installed at the top of Great Western Terrace, yet given the reduction in actual parking spaces these bays have created, it is only residents who are using these spaces since there is nowhere else to park An easy 'fix' which would create some extra spaces for parking, would be to remove the Visitors bay outside numbers 33 & 35 Great Western Terrace and the single yellow line opposite - this would create an extra 3 parking spaces for residents, whilst still leaving 2 Visitor spaces.

The implementation of this parking scheme has only served to make the road quieter during the day, which is not when a problem previously existed. The problem still remains that some residents are unable to park in the road during the evening due to space not being available - this has simply been made worse by the single yellow lines which have reduced the amount of parking available.

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