

Cheltenham Borough Council
Council – 18 November, 2013
Cheltenham Transport Plan – Petition

Accountable member	Councillor Andrew McKinlay – Cabinet Member for Built Environment
Accountable officer	Mike Redman – Director Built Environment
Ward(s) affected	All
Significant Decision	Yes
Executive summary	<p>This report:-</p> <ul style="list-style-type: none">▪ has been prepared in response to the receipt of a petition which has triggered a Council debate because it includes more than 750 signatories;▪ was postponed from the last meeting of Council (7th October, 2013) at the request of the petitioners, so that both the petition and the Gloucestershire County Council (GCC) Cheltenham Transport Plan Consultation report could be considered at the same meeting;▪ needs to be read in the context of the next item which is the formal consultation report from GCC in respect of the Cheltenham Transport Plan.
Recommendation	That Council, having considered the petition in accordance with the procedure set out in Appendix 1, resolves to note the concerns of certain sections of the public and consider them within the context of the Cheltenham Transport Plan Consultation Report.

Financial implications	None arising specifically from this report. Contact officer: Mark Sheldon, Director of Resources, mark.sheldon@cheltenham.gov.uk, 01242 264123
Legal implications	The petition falls to be considered under the Authority's Petition Scheme. Contact officer: Peter Lewis (OneLegal), peter.lewis@teWKesbury.gov.uk, 01684 272012
HR implications (including learning and organisational development)	There are no direct HR implications arising from the content of this report. Contact officer: Julie McCarthy, GO Shared Service Human Resources Manager (West), julie.mccarthy@cheltenham.gov.uk, 01242 264355
Key risks	See risk assessment attached as Appendix 2 to this report.
Corporate and community plan Implications	None arising specifically from this report.
Environmental and climate change implications	None arising specifically from this report.
Property/Asset Implications	None arising specifically from this report. Contact officer: David Roberts, Head of Property & Asset Management, david.roberts@cheltenham.gov.uk, 01242 264151

1. Content of petition received

- 1.1 The Council has received a petition under the heading 'NO to Cheltenham Transport Plan and Boots Corner partial closure'.
- 1.2 The petition (a copy of which has been made available in the Members' room) includes 217 e-mail names and 910 signatures. As such, it contains more than the 750 signatories required to trigger a Cheltenham Council debate, but is below the threshold of 5,000 signatories required for a debate by GCC.
- 1.3 There is some duplication between names appearing on both signature and e-mail lists, as verified by postal address and postcodes.
- 1.4 The e-mail list pre-dates the formal consultation process by nearly 3 months, with names appearing from April 2013.
- 1.5 The statement within the petition states:-

'We the undersigned DO NOT SUPPORT the Cheltenham Transport Plan. We urge both Gloucestershire County Council and Cheltenham Borough Council not to proceed with the proposals as laid out in the consultation running between July 1st and September 1st 2013.

We are particularly concerned with the proposed partial closure of Boots Corner. Reducing the number of vehicles will only offer a small improvement in the public realm quality at Boots Corner but the associated increase in displaced traffic which will have a severe impact on

residential roads, for example College Road, St Luke's Road, old bath road, St George's Street, Hewlett Road, All Saints Road and Gloucester Road.

*We urge the County Council not to implement the partial closure of Boots Corner as part of the Cheltenham Transport plan. **WE condemn this proposal (and) ask that each signature in this petition is counted as a NO vote in the consultation.***

2. Background to receipt of the petition

- 2.1** Please refer to the Gloucestershire County Council document 'Cheltenham Transport Plan Consultation Report' which sets out the comprehensive background relating to the consultation process which has triggered this petition. A CBC paper prepared for the meeting of 7th October 2013 when this item was originally to be considered is an appendix within the GCC Consultation Report. This CBC 7th October 2013 report was postponed and not formally considered by Councillors at the request of the petition organisers.
- 2.2** This appendix A of the GCC Consultation Report sets out the nature and approach to the formal consultation exercise which was led by GCC on behalf of CBC and with support from the Cheltenham Development Task Force.
- 2.3** It should also be noted that GCC has employed Opinion Research Services Ltd (ORS), an independent social research organisation to assist with the coding of written comments and the analysis of the results. ORS is a Market Research Society Company and is fully compliant with the MRS Code of Conduct. ORS is also a member of the Consultation Institute and its research activities and systems are fully accredited to BS ISO 9001:2008 and BS ISO 20252.

Report author	Contact officer: Mike Redman, Director Built Environment, mike.redman@cheltenham.gov.uk, 01242 264160
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Process for dealing with petitions at Council

The following is the recommended process to be followed for the debate of a petition at the Council meeting in accordance with the Council's Petition Scheme. The Council Procedure Rules shall be suspended in so far as necessary to facilitate this process.

1. The Mayor will remind members of the procedure to be followed

2. Statement by the petition organiser

The Mayor will invite the petitioner organiser or their representative to come to the microphone and speak for up to 5 minutes on the petition.

There will be no questions and the petition organiser/their representative will take no further part in the proceedings.

3. Clarification on the background information in the officer's report

Members will be invited to ask any questions for clarification as to the facts in the officer's report.

4. Statement by the relevant Cabinet Member

The Cabinet Member whose portfolio is most relevant to the petition will be invited by the Mayor to speak for a maximum of 5 minutes on the subject of the petition. They may wish to refer to the background report from officers circulated with the papers for the meeting.

They may also wish to propose a motion at this point; if so, the motion must be seconded.

5. Debate by members

Where a member has proposed a motion (which is seconded), the usual Rules of Debate (Rule 13) will apply.

If there is no motion, the Mayor will invite any member who wishes to speak on the petition to address Council for up to a maximum of 3 minutes.

When the 15 minutes set aside for the debate (as laid down in the Council's Petition Scheme) is up, the Mayor may decide to extend the time allowed for the debate but will bring it to a close when they feel sufficient time has been allowed.

6. Conclusion of Debate

The debate should conclude with one or more decisions taken pursuant to the Petition Scheme as follows:

- taking the action requested in the petition (provided the matter is reserved to full council for decision)
- referring the matter to Cabinet or an Appropriate Cabinet Member or Committee (including Overview and Scrutiny) for further consideration
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition
- taking no further action on the matter

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If the Council considers the petition in the absence of the wider consultation results, any resultant decision would not be fully informed with the views of the wider public and is likely to be unsound	Mike Redman	01/11/13	4	4	16	Reduce	Council report recommendations			
	If the Council does not take the concerns raised in the petition into consideration, it has the potential to undermine confidence in the local democratic process	Mike Redman	01/11/13	3	4	12	Reduce	Council report recommendations			

Explanatory notes

Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)

Likelihood – how likely is it that the risk will occur on a scale of 1-6

(1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)

Control - Either: Reduce / Accept / Transfer to 3rd party / Close