Extraordinary Council

26 January 2015

Public Questions (35)

1.	Question from Jayne Lillywhite to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	Who will be responsible for the cost of the complete reversal of the scheme if it becomes evident that for political reasons it is imperative that reversal is required, and CBC and GCC officers are instructed by Council to undertake a reversal?
	It is essential that this information is on the public record as to whether it will be GCC or CBC who will pay for complete reversal before the final decision to implement the CTP is taken at either CBC Full Council or by any subsequent decision by Nigel Riglar or GCC Council.
	Response from Cabinet Member
	The decision by the Traffic Regulation Order (TRO) committee was to implement the TRO's as advertised with the exception of Boots' Corner which will be undertaken on an experimental basis. Elements such as Bath Road which are being implemented for safety reasons are not expected to be reversed, so the only element which would be subject to reversal is Boots Corner. The costs of implementing Boots' Corner on an experimental basis are low as no major construction works are required by GCC. The CBC £2m public realm enhancement will only occur after the TRO committee have met and approved the permanent implementation of the Boots' Corner TRO. Thus, any reinstatement works, to return Boots' Corner to its previous state will
	be met by GCC as the highways authority.
	In a supplementary question Jayne Lillywhite stated that many towns across the country were going through depedestrianisation due to the damaging impact such schemes were having on their commercial core and highlighted the significant cost associated with this. She asked whether the Cabinet Member could provide assurance that CBC could fund a reversal of the TRO relating to Boots Corner perhaps by reserving some of the funds surplus from the sale of North Place.
	In response the Cabinet Member referred to the letter submitted by the County Council explaining the responsibilities of both councils relating to the implementation of the TRO. He stated that the County Council was responsible for implementing the scheme and any changes necessary to it, including reversal. However, he highlighted that the cost of reversing the experimental scheme would be relatively small compared to those following the implementation of major works.

2.	Question from Jayne Lillywhite to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	Can you please explain why when going through the risk register that none of the risks are sufficiently severe to cause the revocation of the scheme, even though the TROC stated that the Boots Corner Element would be a trial. Can you outline what level of failure would be required to back out the scheme.
	Response from Cabinet Member
	The TRO committee supported the wider scheme as they share a commonly held perception that the current Cheltenham road network is deficient and holds various safety concerns. On this basis, we do not anticipate a revocation of the whole scheme. The Boots' Corner experiment aligns with previous commitments to a "bedding-in" period, thus the risk register identifies opportunities for revocation of that component.
	The risk register identifies both the assessed impact and likelihood of individual risks.
	Jayne Lillywhite repeated her question as she felt it had not been sufficiently answered. In response the Cabinet Member said that this was a matter to be considered by the transport authority having looked at the experimental scheme. He explained that the risks were not yet in the register as no detailed scheme had been drawn up yet but they would feature once a detailed plan was in place. In terms of the risk register for the general scheme none of the risks identified had scored more than 16 which represented the trigger point and risks were scored as severity times likelihood.
3.	Question from Peter Sayers to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	Concerning the temporary closure of Boots' Corner, what 'before and after' metrics, including traffic volumes and NO2 monitoring, will be utilised to judge the success or otherwise of this trial? And where exactly will these be collected and how public will the resulting data be?
	Response from Cabinet Member
	All traffic monitoring will be carried out by the highways authority, which has the skills, resources and responsibility for such tasks. CBC will work in partnership with GCC regarding air quality monitoring, as they currently do, in order to deliver the action plan associated with the Cheltenham Air Quality Management Area (AQMA). This data will be made public as the TRO committee has asked to reconvene to consider same, prior to any final implementation decision relating to Boots' Corner.
	The questioner felt that his question had not been answered sufficiently. In response the Cabinet Member invited Scott Tompkins, Lead Commissioner, Highway Authority for the detail of the TRO process. Scott Tompkins explained that greater details of the scheme were not yet available. The intention would be to progress the inner ring road portions of the scheme to the final design

stage which would include stage 2 safety audits. Officers were also looking at what traffic data would need to be collected in order to assess the trial experiment at Boots Corner.
In a supplementary question Peter Sayers stated that according to the map circulated at a previous meeting traffic the indicators were that traffic would double on the south side of Clarence Square. He requested that an N02 monitoring station be placed at the top of Monson Avenue where it meets Clarence Square in order that real data can be collected at least 2 months before the trial and 2 months after the trial.
In response the Cabinet Member stated that whilst an answer could not be provided now he assured him that the county officers would have noted his point and added that similar representations had been made which would be taken on board as part of the process.
Question from Peter Sayers to Cabinet Member Development and Safety, Councillor Andrew McKinlay
At the public meeting on 15-1-15 I requested the details of structural surveys and risk assessments to the residential buildings on both sides of the south side of Clarence Square be made available. The proposed temporary closure of Boots Corner will result in a large traffic increase and vibration impinging on these Regency residential properties with scant 600mm foundations built on sand. This would indicate that a formal risk assessment be a responsible action by those proposing such a scheme: it has not yet been made available. Please can this be made available before a final decision on the trial is agreed. In addition, please let me know how much money has been set aside to compensate if damage from the increased vibration is proven to have occurred.
Response from Cabinet MemberAt the meeting referred to, the Highways Authority advised that no such surveys had been undertaken and they had not been alerted to any evidence of structural damage to property associated with the existing road network. CBC is not the Highways Authority so unable to provide any further advice. The assumption that the Cheltenham Transport Plan (CTP) will result in large traffic increases is not correct. Overall, the CTP encourages modal shift and reduces the amount of traffic growth that is anticipated without any scheme in place. On those roads where there is an anticipated increase in traffic, the growth is not substantially higher than the anticipated growth from development in Cheltenham going forward and therefore, there is not seen to be any greater risk of damage to properties from traffic-generated vibration.In a supplementary question Peter Sayers how any structural damage would be paid for. How would that be measured, who would measure it and what risk assessment would be undertaken. This was one of the finest squares in England and he believed it was being put at risk.

	In response the Lead Commissioner, Highways Authority explained that if there was damage to property then the Highways Authority would take responsibility for any claims if the link was proved between increased traffic and increased vibrations on property foundations. He highlighted that key to the Cheltenham Transport Plan was controlling the growth of traffic in the future. The doubling of traffic referred to included taking account of any new housing in Cheltenham. The Plan assisted by influencing modal shift in terms of adopting different forms of transportation.
5.	Question from John Firth to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	What is the cost of altering the three junctions along Oriel Road (i.e. all the works from Bath Road to the Promenade), and what proportion thereof comes from LSTF ?
	Response from Cabinet Member
	Funding is a combination of Highways safety monies and Local Sustainable Transport Fund (LSTF) monies The specifics would need to be advised by GCC.
	£600k of funding has been set aside by GCC from the LSTF programme to fund the physical changes to the Inner Ring Road.
	In a supplementary question John Firth asked whether, in the case where the scheme failed, would there be funds available to the order of £600k for a reversal.
	In response the Cabinet Member stated that the costs of any reversal would fall upon the County Council but reiterated that at this stage the cost of reversal would not be that great as it was not being proposed to change many facets on a permanent basis. Scott Tompkins clarified that the inner ring road changes would be physical changes to the road network and it was not being anticipated that these would need to be reversed. In terms of the experiment at Boots Corner this was a temporary 10 month scheme using temporary materials and therefore no major physical changes to the road network would be made. Therefore if there was a reversal of this experimental scheme this would be low cost.
6.	Question from John Firth to Cabinet Member Development and Safety,
	Councillor Andrew McKinlay
	What is the cost of altering the junctions along Albion Street (i.e. all the works from Pittville Street to St. James' Street)?
	Response from Cabinet Member
	GCC as Highways Authority would need to advise on the detail of this.
	£600k of funding has been set aside by GCC from the LSTF programme to

	fund the physical changes to the Inner Ring Road.
7.	Question from Nic Pehkonen to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	In the CTP strategic risk assessment, a 20 mph zone is proposed for St Paul's. A 20 mph limit makes streets more attractive to cyclists and pedestrians. Why isn't Cheltenham following the example of most towns and cities and making 20mph the speed limit for all residential streets?
	Response from Cabinet Member
	There is conflicting evidence over whether 'whole town' 20mph zones work, whilst positive results exist for localised areas within towns, especially where the local community has not only supported implementation, but also actively assists in demonstrating positive behaviours; the Netherlands has invested heavily in this approach.
	I am not aware that a whole town 20mph has ever been seriously proposed for Cheltenham, but I will gladly ask GCC for its formal view regarding this.
	My current understanding is that GCC has had a very mixed result with 20mph zones, with compliance in most zones being difficult to achieve without significant traffic calming features being introduced. Nationally, the case for large scale 20mph zones has not been successfully made and where they have been implemented, they have not shown the improvements in safety or accident reduction that were anticipated.
8.	Question from Nic Pehkonen to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	In St Paul's we have been discussing and asking for traffic calming measures on St Paul's Road for several years now. As well as the 20 mph limit, our wish list includes: pavement widening, pinch points with traffic prioritization and place making at entrance points, and built out pavement/ parking bays. Is the £30,000 mitigation cost quoted in the Strategic Risk Assessment enough to cover all these necessary measures, as proposed to us by GCC Highways officers?
	Response from Cabinet Member
	The mitigation cost estimates have been provided by GCC as highways authority. £100k of mitigation funding has been set aside by GCC from the LSTF in order to address safety issues. CBC has offered to provide up to an additional £50k to deal with any additional issues arising as a direct result of the CTP works, this is not expected to mitigate all pre-existing traffic management issues. Once the scheme is in place, all of the roads affected will be carefully monitored and measures introduced on a prioritised and evidence based approach. GCC as Highways Authority ultimately holds responsibility for safety on the network and would need to introduce measures or changes to schemes where required.

9.	Question from Helen Bailey to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	In view of the scale of the impact of the 'Strategic Risks' just published (CTP 1 to CTP19), should not most of these risks be returned to the Corporate Risk Register, rather than their progress be 'hidden' from public scrutiny in the Task Force's "divisional" Risk Register ?
	Response from Cabinet Member
	The Corporate Risk register is not designed to pick up the level of detail identified, hence they are managed more locally by relevant teams. In this instance the risks are shared between GCC and CBC, but responsibility for monitoring and mitigation may rest with either or both organisations (i.e. the identified risk owner(s)). CBC risks are not generally escalated for inclusion on the Council's corporate risk register unless they are at a score of 16 or above.
10.	Question from Helen Bailey to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	Aside from your eagerness not to miss the deadline for the LSTF handout, (if there really is a definite deadline beyond March 2015), would you not like to have had the confidence of receiving an independent assessor's report into the credibility of the CTP Modelling? (I ask this in light of the fact that everything depends upon this Modelling projection, yet objectors and TR Committee members found many aspects unbelievable or difficult to accept)?
	Response from Cabinet Member
	There has been a huge array of modelling over the years, undertaken by highly respected traffic industry experts e.g. Colin Buchanan & Associates. The <i>Paramics</i> traffic model is the Department for Transport's (DfT's) accepted modelling tool for this type of situation and was prepared by Atkins and subsequently checked by Amey as the Highways Authority's term contractors. Whilst the subject matter is complex, there has been no credible suggestion that the outputs are deficient. A comprehensive model validation report was produced by Atkins and has been made available on the CTP area of the GCC website. There is no deadline for the LSTF funding, as GCC has already secured this.
11.	Question from Carl Friessner-Day to Cabinet Member Development and
	Safety, Councillor Andrew McKinlay Having reviewed the modelling figures, the TRO Committee expressed some concern over the displaced vehicles into residential areas, and therefore asked the Traffic Manager a simple question " Can the Boots Corner closure be done independently of the other TRO's, and if so can it therefore be trialled?" The answer was YES. We (Cheltenham Residents Forum) have requested and have in recording our requests for a trial closure of Boots Corner, but on numerous occasions been told by this CBC that this was not possible. Can the Council actively blocked what is a common sense tactic of trialling, or did not ask the question of GCC Highways which as a result has now lead to further meetings and further waste of tax payers monies?

	Response from Cabinet Member
	The question of trialling was raised on numerous occasions. You will be aware that CBC and the Task Force working with GCC did exactly that at the Monson Avenue junction, so clearly, CBC has not been opposed to trialling. However, CBC was given to understand that the complexities of the Cheltenham network would make a full scale trial unworkable and as a result, agreed with GCC as Highways Authority that a better solution would be to ensure that there was a full public consultation, so that all aspects could be debated prior to any works being implemented.
	A result of the consultation recommended that a "bedding-in" period be enacted, so in reality, we have all arrived at a similar conclusion. The difference in approach is that CBC & GCC have gone to considerable lengths to engage the public, rather than simply relying on highways powers to implement a trial and consult on the outcomes later.
	Effectively, this is the price of democracy.
	In a supplementary question Carl Friessner –Day asked the Cabinet Member to provide dates, times and meetings and names of attendees of meetings held between CBC and the County with regard to Boots Corner.
	In response the Cabinet Member undertook to provide that information to the questioner.
12.	Question from Carl Friessner-Day to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	The risk register of 09/01/2012 shows that the Council officers were well aware that Brewery 2 could go ahead without the 'closure of Boots Corner' stating that if the Department of Transport are unable to support the traffic proposals (Outlined in the LSTF Bid)certain schemes such as North Place and Brewery phase 2 could go ahead. The threat of the economic impact of not closing Boots Corner has been held over the town for some time and has been underpinned by the Council including letters by Andrew North to the department of transport and others. Were Cllrs wittingly involved in misleading the public or just naive allowing themselves to be swayed by the PR machine, will Cllrs now do the honourable thing and support an investigation?
<u> </u>	Response from Cabinet Member At the TRO committee meeting, the Brewery was represented and made it

	That confidence, as demonstrated by a significant number of representatives at the TRO committee, has largely been as a result of the Task Force and its CEO, so Cabinet will not be asking the CEO to step down.
	Carl Friessner Day wished to highlight that the latter part of the Cabinet Member's response was no longer relevant as his original question had been amended.
	In a supplementary question Mr Friessner Day highlighted that the risk register from 9 January 2012 stated that Brewery Phase 2 was feasible without the closure of Boots Corner but a letter from CBC on 21 February 2012 stated that the final decision with regard to Brewery 2 rested on the implementation of the Boots Corner scheme. He asked the council to investigate why misleading information was shared with the Department of Transport, Councillors and the public.
	In response the Cabinet Member undertook to look into the issue further. He acknowledged that there appeared to be a change in between the two dates of the letters referred to but officers would investigate the facts.
13.	Question from Mary Nelson to the Cabinet Member Development and Safety, Councillor Andrew McKinlay
	There was a serious failure of due process at the 18 th November 2013 Council CTP Decision meeting, as the reports put before councillors failed to include the CTP Equality Impact Assessment (of July 2013), and also the Boots Corner plan which had been shown to the Disability Working Group, and failed to make any mention of the need for PSDR to be taken into account in the councillors' decision, as required by the Equality Act 2010, which states that PSDR must be taken into account at the time a decision is taken, NOT AFTER it has been made. This Equality failure has been brought to the attention of GC in a formal complaint, but they claim it is not their responsibility and should be addressed by CBC. As this procedural error has never been rectified, any further CBC CTP decision or agreement now made, is based upon the previous legally unsound 13 th November decision and would provide grounds for a judicial review by any group or individual, should they choose to challenge it.
	As Leader, are you not sufficiently concerned about this situation to request that another CTP Decision meeting is held at which a full set of papers regarding PSDR are put before councillors, together with a detailed layout plan for Boots Corner, showing the new bus lane that has now BEEN PERMITTED, so that councillors can see exactly what they are approving and what the impacts upon the Equality Groups are likely to be? Otherwise, any subsequent serious injury or fatality arising from the CTP could result in expensive litigation costs for this Council.
	Response from the Cabinet Member Development and Safety
	GCC has the responsibility for ensuring that the CTP scheme is equality

compliant and originally drafted the July 2013 document, this has been updated as part of partnership working and will be kept under review. GCC has in place a due regard statement to ensure that the equality aspects have been kept and will be kept under review. Also, CBC/GCC with the Task Force, organised meetings with representatives of various disability groups to establish what works and does not work for them in the town centre now, as the scale of works being proposed create an opportunity to rectify any previous failings.

When the Council decision was made on 18/11/13 we were confident that appropriate steps were being taken to hear the views of the various groups, but equally recognised that any work could only be a broad based discussion to identify concerns as the whole process would be subject to the TRO process. The Disability Working Group continues to be consulted and meet to discuss and provide input into actual rather than theoretical design issues. Recently advice has been sought on the High Street scheme associated with Brewery II and responses will be taken into account in final design work, to be implemented this Spring.

Physical changes to Boots Corner will not occur until the TRO committee have considered the outcomes of the trial, but in the interim we are confident that this representative group will be heard and their concerns fully taken on-board should a public realm upgrade be implemented.

Equally, all schemes involving the highway require an independent audit to ensure compliance with safety and the proposals for the High Street, Boots Corner and any other elements of the Cheltenham Transport Plan will be assessed by GCC in this manner.

Taking the above in to account, I am confident that equality issues have been and will continue to be taken on board in progressing the CTP and that there is sufficient assurance for CBC to take a decision on the TRO Committee recommendations at this stage.

In a supplementary question Mary Nelson made reference to the confidence expressed that appropriate steps had been taken to hear the views of various groups during the consultation. However, there was no mention of this in the officer report for the November 2013 Council meeting nor did any member during the recent TRO hearing refer to the Council's due regard statement. She referred to the Equalities Act 2010 which required that all existing policy related information should be before Councillors before a decision is taken. She asked whether the Cabinet Member felt that his confidence that these requirements had been met was misplaced and that this needed addressing before a decision was taken at this meeting. In addition there was no mention of this issue in the officer report presented for this meeting.

In response the Cabinet Member disagreed with the questioner and confirmed that he was confident that all relevant parties had been consulted including those with disabilities. He gave the example of the consultation which had been undertaken for the Brewery phase 2. He reiterated that the council did consult with relevant parties including the disabled and was therefore confident that it complied with relevant legislation.

14.	Question from Mary Nelson to Cabinet Member Development and Safety Andrew McKinlay
	The recommendation to "trial" the Boots Corner element of the CTP requires a
	full and detailed explanation by the Traffic Regulation Committee.
	As the Cabinet member responsible, what is your understanding of their
	recommendation - did they mean a trial of just the removal of general traffic
	through Boots Corner, or did they mean a trial of the new bus lane past Boots, which necessarily means the removal of the pedestrian crossing?
	Response from Cabinet Member
	The trial means a removal of general traffic from Boots' Corner, as the first round of consultation resulted in the proposed retention of the pedestrian crossing at Boots Corner. Buses will continue to use Imperial Circus during the trial period.
	In a supplementary question Mary Nelson made reference to the consultation leaflet which showed that the reduction in the number of vehicles at Boots Corner would create an attractive public space and this was a major selling point for public support of the proposals. However, she said that a new public space could not be created without the implementation of a new bus lane in front of Boots shop. This would require the removal of a pedestrian crossing which was used by 16 000 pedestrians each day. She asked whether the Cabinet Member agreed that it was imperative that the new bus lane was trialled and that if it proved to give rise to too many safety issues then the new public square would not be deliverable meaning that the major benefit of the scheme would be outweighed by the many disbenefits.
	In response the Cabinet Member confirmed that the experimental TRO did not have the bus route in front of Boots corner. This was a longer term aspiration.
	Scott Tompkins, Lead Commissioner, Highways Authority reiterated that before a final design scheme is drawn up there would be a stage 2 safety audit. Officers had advised him that there were some concerns with regard to the actual turning movement for buses and these issues would be looked at before that was implemented. During the experiment buses would continue to go through Pittville Street. There had to be confidence that safety issues were addressed with regard to these bus movements. He highlighted that there was no change to the order but the line of the curve stops buses doing this at the moment and there was no intention to change that during the experiment. Scott Tompkins undertook to engage further on that particular issue.
15.	Question from James Molloy to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	The risk register produced post TRO available online for this meeting shows values assigned for mitigation, the sum currently stands at £110,000. At the TRO Committee a couple of schools were mentioned including St Gregory's of

	which the TRO Committee sought reassurance that mitigation could be offered. Although these funds are only proposed spend, with only £150,000 available and pedestrian crossings costing circa £30,000, where is the additional monies likely to come from to support the many other streets requiring assistance or will this Council just adopt an approach to pacify the TRO Committee and forget about the rest of the town?
	Response from Cabinet Member At this stage such allocations are notional, until traffic data identifies any actual
	issues. As a consequence it is not possible to answer this question in detail. However, GCC has advised that a zebra crossing, if required, is a lot less than the £30k quoted, whilst a puffin crossing could cost more than this. GCC, as Highways Authority, would have responsibility for funding such works.
	As an aside, the number of private vehicle movements (claimed by the Head teacher) associated with St Gregory's would suggest that an active travel plan should be considered. It is important to remember that the LSTF is not just about changing roads, but also about changing habits and I will encourage GCC to see what support can be given to this school to assist more children attending via means other than private cars, which significantly contribute to the surge of vehicles at peak times.
	In a supplementary question James Molloy noted that the smarter choices had been factored into the model. Given that these had only been partially implemented this would limit the effects on numbers. He referred to the 4/5 specific risk areas which had been identified for which monies were assumed to be sufficient but asked what would happen if additional problems were identified and where the additional monies would come from to address these.
	In response the Cabinet Member acknowledged that it was unknown what would be found until the implementation of the scheme. There was adequate funding available to undertake any necessary identified works. Scott Tompkins added that inherent in the County Council making the bid to the LSTP was the County Council accepting liability for any changes. The Highway Authority had enough confidence that the scheme would work but if small changes were necessary then these would come at a cost to the County Council.
16.	Question from James Molloy to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	The TRO Committee concluded that excluding smarter choices, the closure of Boots Corner at best has a steady state effect on Nitrogen Dioxide by decreasing the NO2 in two locations and increasing it in two locations. However the trial road changes on Bath Road in the words of GCC will not only addresses safety, but will address the pollution issues here. If this is therefore taken into account, then infact closing Boots Corner will only account for reduced NO2 levels in one location, Gloucester Road junction. Will the Council therefore openly and honestly, in line with the comments made at the TRO, state for the first time on public record and to the public, that the closure of BC

	has more of a detrimental effect on NO2?
	Response from Cabinet Member
	GCC as the Highways Authority has responsibility for this scheme. The scheme was originally designed to work with the CTP, including the proposed Boots' Corner closure. The Bath Road changes were only modelled with the Boots' Corner closure. The current trial is to see if the scheme would work and deliver benefits without Boots' Corner being closed. The CTP is not just about the closure of Boots' Corner, but includes a whole package of measures designed to encourage modal shift and reduce traffic growth over the whole network, which should in turn help with air quality issues.
	In a supplementary question James Molloy said that the closure of Boots Corner had been on the agenda for some 25 years. All the documents relating to the closure only illustrated the positive effects on pollution. The benefits of smarter choices and other alternatives to the closure at Boots Corner had in his view never been set out in a transparent manner for the public to see that there are other ways to achieve pollution reduction. He believed that by refusing to answer his question fully the Cabinet Member now accepted this fact.
	In response the Cabinet Member said that this was not the case. He said that the Boots Corner scheme was viewed as "the cherry on the cake" but it did not mean that the other traffic changes were completely dependent on it. The other changes in the transport plan would be beneficial in their own right. With regard to the current trial at Bath Road he said that things took time to bed in and more information would be available about the trial in a few weeks time.
17.	Question from Andrew Riley to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	Who are the members of the Task Force ' Risks & Accountability Group ', and are their deliberations and decisions subject to the same levels of audit and scrutiny as is the Council's Corporate Risk Register, in view of the recent 'black mark' of a PIR (Public Interest Report) issued against CBC following the Christine Laird Prosecution fiasco, primarily based on failure of risk management ?
	Response from Cabinet Member
	The risk & accountability group consists of Andrew North (CBC), Simon Excell (GCC), David Oldham (Task Force member), Jeff Brinley (Task Force member), Jeremy Williamson (Task Force) and has in attendance staff from internal audit. That risk register is also regularly considered by the Senior Leadership Team of CBC and is subject to the same level of audit and scrutiny as all other Council activities.
18.	Question from Andrew Riley to Cabinet Member Development and Safety, Councillor Andrew McKinlay

	artists' dreams, far too flakey to risk the viability of the town's <u>traffic network</u> on, particularly when it has been allied hitherto with an absolute refusal to consider that risk ?
	Response from Cabinet Member
	The Boots' Corner space amounts to approximately 1000m ² through which passages have to be defined for bus routes of approximately 3.5m width. There would appear to be ample space for people, a public space and certain vehicles. However, no such 'Utopian dreams' will be implemented until the risks have been considered further by the GCC TRO committee.
19.	Question from Gaynor Riley to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	If further mitigation money is required (which is very likely, given the scale of impact which will cover a widespread geographical area of the town) who will be responsible for providing it - will it be CBC or GCC? This vital information must be decided and recorded in public now, so that there is no future wrangling between GCC and CBC as to who is going to pay.
	Response from Cabinet Member
	The modelling work does not suggest that the impact will be widespread or significant as the questioner suggests. GCC as the Highway Authority is responsible for providing any mitigation, changes to, or reversal of the scheme. To this end, funding from the LSTF has been set aside. Should further funding be required beyond that already identified, then GCC would be responsible for this too. This risk was acknowledged by GCC in its Cabinet approval to take the Traffic Regulation Orders forward.
20.	Question from Gaynor Riley to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	Do you agree that the only part of the CTP that can be trialled is the actual closure of the inner ring road through Boots Corner to general traffic, and that this claimed trial does not, and cannot, test the desired 'Shared Space' at Boots Corner, because it is only possible to trial the public space if the existing bus route around Imperial Circus is closed and the buses are re-routed past Boots shop and this new bus route requires the removal of the pedestrian crossing?
	Response from Cabinet Member
	My understanding of the trial is exactly as you describe. However, we have been trialling 'space-sharing' between buses and people on the High Street between Primark & Tesco for the last 7 years. When the TRO committee further considers the experiment, they will no doubt consider whether further changes need to be implemented permanently, or alternatively could decide to abandon the scheme.
21.	Question from Daud McDonald to Cabinet Member Development and Safety, Councillor Andrew McKinlay

	I would like to ask the council what mitigation they are considering re the increased volume of traffic on St Paul's Road and the extra pollution this will bring?
	As a resident of St Pauls Road I have experienced the volume of traffic that will pass through St Paul's on a daily basis. When the sewer works were done on St Margaret's Road in 2014, traffic was gridlocked and the pollution could be tasted!
	Mr Jordan, leader of the council, said "No one wants gridlock" and a person called Alex from highways said " this scheme will reduce pollution" neither of these statements reflects the truth of what St Paul's will suffer without mitigation to make sure we are not victims of this scheme I do not believe that an unenforceable 20 mile an hour speed limit is sufficient. Having spoken to many of my neighbours I think that pinch points at either end of St Paul's Road or blocking the road to through traffic are the only solutions we would find acceptable at the moment.
	Peoponeo from Cobinet Member
	Response from Cabinet Member GCC, as Highways Authority, will be monitoring the impact of the changes. Any mitigation measures proposed will be subject to public scrutiny prior to implementation. My understanding is that certain measures currently proposed, such as a 20mph zone, have been the result of active public engagement with
	the community, including both CBC Councillors and GCC representatives. I am hopeful that this will continue and also that this wider scheme helps to address some existing concerns too, rather than just exacerbating the situation.
22.	Question from Liz Rolls to the Cabinet Member Development and Safety, Cllr Andrew McKinlay
	Now that Morrison's has withdrawn from the North Place site, what access routes from the south of Cheltenham (where 70% of residents live) will the Council be suggesting to potential replacement businesses and their customers once easy access via Boots Corner into St. Margaret's Road is no longer an option - the St. James' Square, Ambrose Street, St. George's Street into St. Margaret's Road route? The Rodney Road, High Street, Winchcombe St, Albion Street, St John's Avenue into St. Margaret's Road route? Or the College Road via St Lukes Rd, High Street, Street, James Street, St John's Avenue into St. Margaret's Road route? Will the increase in traffic through all of the above mentioned routes as a result of this site development and the closure of Boots corner be managed or will traffic be allowed to 'disperse' and find its own way as has been suggested to date? Will poor access for customers as well as businesses not make this site commercially unattractive, leading to years of planning 're-negotiation', i.e. the opposite of "regeneration" for Cheltenham? Response from Cabinet Member
	Response from Cabinet Member
	The situation regarding Morrisons is unclear; as a result, it is far too early to speculate what may happen to that site and as a consequence, what traffic

	that another supermarket will take its place in the current circumstances. However, one also assumes that changing consumer behaviour in relation to on-line shopping would suggest that foodstores will no longer be the trip generators they previously were. Any future proposal will have to be considered upon its merits, with traffic generation projections tested according. In a supplementary question Liz Rolls said that given that so much environmental monitoring and risk data and plans for routes through Cheltenham is unforthcoming in relation to closure Boots Corner, changes to traffic flow and to the major development including Morrisons on North Place
	how can residents, visitors, businesses and councillors be confident that these proposals were in the best interest of the town.
	In response the Cabinet Member said that work on these issues had been ongoing for 14 years and had been following a structured plan which from modelling showed that it would work. He acknowledged that things had changed over time and whilst Morrisons were no longer going to occupy North Place it did not mean that North Place would not be developed in the future.
	Scott Tompkins, Lead Commissioner, said that the model used for assessment was a Paramix model based on the Saturn data as well as validated traffic data. It represented the industry standard for developing these types of changes. The modelling work looked at traffic flow across the whole network, peak flows of traffic, worse case scenarios and the year 2026 which included all growth in Cheltenham. He was confident that the data had been correctly validated and there was a comprehensive validation report. He highlighted that two separate professional consultants had been involved and he had confidence in their work. He noted that the model used was the same model used for planning applications across the County.
23.	Question from Liz Rolls to Cabinet Member Finance, Councillor John Rawson
	Part of the justification for the changes proposed by the Cheltenham Transport Plan is to increase access to town car parks. Will the closure of the Boots Corner route adversely affect Cheltenham's chance of getting the permitted number of public car parking spaces on the North Place site (to continue to serve the town centre), or has that number been 'guaranteed' by an Agreement when the site was sold to 'Augur Buchler Cheltenham Limited'?
	Response from Cabinet Member, Cllr John Rawson
	No, the number of car spaces is linked to an agreement and equates to a net reduction in previous provision.
	The car parks that will be better served by the Cheltenham Transport Plan are Regents Arcade and those along Albion Street.
	In a supplementary question Liz Rolls asked what assurance could be given by the Council to town centre residents such as those in Clarence Square, Wellington Street, College Road, St Lukes and Montpellier that the net reduction in previous car parking spaces alluded to in the Cabinet member's

	answer would not jeopardise residential parking in these areas.
	In response the Cabinet Member Finance explained that when the assessment was carried out there was a calculation made that there was a need for car parking in that part of town. The view was taken that car parking capacity was unduly located in the north of the town. If more parking capacity was located in the south then there may well be a reduction in north to south traffic movements. The council was confident that the capacity provided at North Place combined with other car parks would sufficiently meet the need, particularly if parking capacity was made elsewhere in the town. He gave the example of a potential public car park on the former Shopfitters site in St George's Walk.
24.	Question from Ken Pollock to Cabinet Member Development and Safety,
	 Councillor Andrew McKinlay When the trial of closing the inner ring road through Boots Corner commences, will it be controlled from the START by automatic number plate recognition (APNR) and will it be CBC or GCC who will be responsible for funding each of the following expenditure items: 1. Cost of installation of the cameras. 2. Cost of administration of the APNR scheme e.g. the additional staff, who are likely to receive a huge amount of challenges to fines issued, as happened in both York – where 53,000 fines were issued in a 6 month trial inner ring closure, and where a successful legal challenge meant all fines issued had to be refunded with a huge cost to the taxpayers, and Bath, where 9,000 fines were issued in the first month of a trial, all of which also had to be refunded costing Bath's taxpayers over £270,000. (Trials in York and Bath were both abandoned due to public/political pressure.) 3. Cost of court cases for fine challenges.
	Response from Cabinet Member GCC, as Highways Authority, will have responsibility for implementing the trial scheme, details of which have yet to be determined. It is likely that during the trial period, GCC would use temporary cameras, ensuring that the cameras and related signage meet or exceed all statutory requirements, in order to allow fair and successful enforcement. GCC would be responsible for managing this and any subsequent challenges to enforcement.
	In a supplementary question Mr Pollock stated that in listening to the answers to the questions posed the Cheltenham Transport Plan now appeared to be split into 5 disconnected schemes which were to be implemented separately if necessary and per se. These were the Boots Corner closure, public square. changes to Oriel Road/ Imperial Square, the Bath Road safety scheme and the Albion Street contraflow. He said that the public was being informed that all these schemes were wanted on their own merits. He asked whether it was credible that the important east to west flow at Oriel Road/Imperial Square to get to St Georges road was going to be a net benefit without any further investigation.

	In response the Cabinet Member said there were a number of TROs dealing with different parts of the overall plan and some could be done on their own merits but this did not mean that there was not a plan into which they were all integrated. He stated that these TROs would be implemented in a sequential order to ensure that the traffic flow would continue in a sensible manner.
	Scott Tompkins, Lead Commissioner stated that in terms of a plan for the roll out of changes to the inner ring road these would be done one at a time with media support so that members of the public, including residents and commuters, understood the changes as they were made. This should reduce the "bedding in "period. In addition the changes would be reviewed periodically and changes would be made if required.
25.	Question from Ken Pollock to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	As the Full Council decision on CTP on 26th January is stated to affect not just the required "two" Wards but 'All Wards', and as the overall cost of CTP is very "significant", should not this be marked as a 'Key' Decision, as also should the subsequent Decision by the Leader ?
	(This correction is especially necessary because <u>Full Council's</u> previous decision on "CTP", in November 2013, was also incorrectly handled as 'Non-Key', and was therefore invalid.
	See: <u>https://democracy.cheltenham.gov.uk/mglssueHistoryHome.aspx?IId=761</u> <u>6&Opt=0</u>) (Only after the November 2013 meeting was the Leader's December 5th
	decision on "CTP" switched to 'Key'.)
	Response from Cabinet Member
	Key decisions are executive decisions taken by Cabinet, the Leader, Lead Members or Officers and do not apply to reports considered by Council. Non- executive decisions (such as Council decisions) which are likely to have a significant effect on people in two or more wards in the Borough are marked, as in the report in this case, as being a 'significant decision'. This is in accordance with our Constitution and does not invalidate the decision made by Council in November 2013.
	In a supplementary question Mr Pollock said that the answer provided implied that it would be executive decisions, not full Council decisions which were key as opposed to non-key. He gave the example of the potential CPO on the brewery site which was a full Council key decision. He asked whether the decision to be taken tonight should be a full Council key decision not a non-key decision as listed and asked what a significant decision was.
	In response, the Head of Legal Services, One Legal, said that this was a significant decision for Council as stated in the report. He explained that the Council's Constitution referred to both significant and key decisions and that

	the definitions of significant and key decisions in the Constitution were the same. Key decisions related to Executive matters only. He read out the definition of significant decision, i.e. one that was likely to be significant in terms of its effects on communities living and working in two or more wards in the borough, and said that the Council was being asked to consider the matter on that basis.
26.	Question from Anne Brookes to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	In view of the CTP being focused on and driven by the closure of Boots corner, and the promise of a public realm 'shared space', and in view of concerns raised by the GCC Traffic Regulation Committee in their recommendation to trial the closure, how can the council justify the irreversible junction and network changes (albeit LSTF funded) and the risk of non delivery of the primary objective, should the experimental TROs for Boots corner not be made permanent?
	Response from Cabinet Member
	There was never a single or primary objective of the Cheltenham Transport Plan. It has always consisted of various elements, such as breaking the stranglehold of the one-way system; dealing with various safety issues, particularly vehicle speed and improving access to car parks. The removal of traffic from Boots' Corner was always seen as the final element, only deliverable after the others and contributing to the long term economic performance of the town. Some of these other elements can be delivered independently of Boots' Corner e.g. the safety scheme on Bath Road, and if shown to be delivering the desired safety improvement, are very unlikely to be reversed.
	In a supplementary question Anne Brookes felt that if what was being said was true, it was a mockery that the public consultation focused on Boots Corner which claimed a mandate of public support. The consultation did not seek views on the ring road being broken up. She asked that this be clarified and the Council consult again.
	In response the Cabinet Member acknowledged that there was a section in the consultation regarding Boots Corner but emphasised that there was also a great deal of consultation on junction works and other transport works. To that end he was confident that there had been a fair consultation.
27.	Question from Anne Brookes to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	While the world moves on, CBC sticks doggedly to what's left of the ill- conceived and outdated Civic Pride scheme, (overseen by the non-elected and unaccountable Task Force), and squanders opportunities by ill-timed land disposal, for the irrational and now doomed development for North Place. Now there is a possibility that the Boots corner plans may not happen, and the junction and ring road changes were not sought or desired on their own, is it

	not now time for the council to start again, to re-think, to take control, and demand a new and better vision for Cheltenham in these changing and challenging times?
	Response from Cabinet Member
	The Task Force was formed with the objective of delivering a host of stalled schemes. I would cite Midwinters, Honeybourne Gate, Brewery Phase II and Albion Street as evidence of their successes, along with the securing of significant government funds, such as LSTF, with our partners. Whilst North Place is frustrating and I think in fairness, subject to factors well beyond the remit of CBC or the Task Force, CBC has benefited from the capital receipts generated by these disposals and is seeking to reinvest significant sums back into the town. I am not sure what you have in mind for a new vision, given that we have been effectively tackling moribund sites, creating job opportunities and releasing capital for reinvestment in those elements that make Cheltenham special.
	In a supplementary question Anne Brookes made reference to the support for the Cheltenham Development Task Force but believed that the LST funds had been obtained through lies and lobbying. In her view releasing capital by allowing unwanted and inappropriate development was in her view nothing to be proud of. She questioned how this approach could protect or enhance the special character of the town.
	In response the Cabinet Member disagreed with the thoughts expressed. He said that Cheltenham Borough Council was very successful at facilitating new developments and improvements for the town centre at a time of economic uncertainty.
28.	Question from Christine Saunders to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	What is the cost of reversing each set of junction changes, (i.e. the Oriel Road set and the Albion Street set), and are there any ways of making the junction changes initially in a temporary or part-finished manner which could make them appreciably cheaper to reverse in the short term?
	Response from Cabinet Member
	GCC, as Highways Authority, has responsibility for the implementation of the inner-ring road changes. The TRO Committee has now recommended the adoption of these changes. If the scheme goes ahead, GCC will progress the inner-ring road changes through a final design stage, including a Stage Two safety audit. It is not anticipated that any of these changes would be reversed, as they are designed to improve traffic flow and safety, with or without the Boots' Corner closure in place. It is more likely that after a bedding-in period changes or mitigation measures may be introduced to these schemes, rather than complete reversal.

29.	Question from Christine Saunders to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	What is the total LSTF amount available to Cheltenham for infrastructure works on the Inner Ring highway including pavements, and what is the LSTF
	remainder for non-infrastructure items (e. g. encouraging 'Personal Travel Plans')?
	Response from Cabinet Member
	£600k of funding has been set aside by GCC from the LSTF programme to fund the physical changes to the Inner Ring Road.
	Gloucestershire has been allocated a further grant of £920k for 2015/16 from the LSTF programme for a countywide package of measures to promote a wider range of travel choices. Part of this additional budget has been allocated to carry out a 'Station Travel Plan' in relation to Cheltenham Spa railway
	station.
30.	Question from David Saunders to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	Considering that the two-waying of Oriel Road is intended to 'mitigate' for
	cutting Cheltenham's one-way Ring Road, is it wise (or just) to destroy
	<u>permanently</u> the major east-to-west flow capacity along Oriel Road <u>before</u> the viability of closing Boots Corner has completed its Trial ?
	Response from Cabinet Member
	The changes proposed to Oriel Road/Imperial Square are seen to have positive affects for improved traffic flow, rather than being an attempt to mitigate the closure of Boots' Corner. Aside from traffic flow improvements, alterations to Oriel Road/Imperial Square are intended to have other benefits such as; improved access to Regent Street car park, removal of rat-running traffic attempting to bypass the one way system on Vittoria Walk, eased cycle penetration and the possibility of a revised no. 10 bus route that could serve the whole of Bath Road rather than, or in addition to, the route through Park Place. GCC, as Highways Authority, will be progressing the design work on these changes including Stage Two safety audits before moving to implementation.
31.	Question from David Saunders to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	Has Dft (1) been informed of the impending <u>Trial</u> for the key CTP element (namely the cutting of the Inner Ring at Boots Corner), and (2) been asked to <u>delay</u> disbursement of the LSTF funds for the expensive Oriel Road and Albion Street works, which once begun would necessarily be
	permanent due to the clearly unaffordable cost of reversal. Response from Cabinet Member
	GCC as Highways Authority has responsibility for implementing the changes to the inner-ring road. GCC is not required to inform DfT. The LSTF funding has
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	been distributed to GCC and this funding will be available going forwards for LSTF works, including the physical changes to Oriel Road and Albion Street. GCC will progress these schemes to final design stages including Stage Two safety audits before construction. It is not anticipated that any of these changes would be reversed, as they are designed to improve traffic flow and safety, with or without the Boots' Corner closure in place. It is more likely that after a bedding-in period, changes or mitigation measures may be introduced to these schemes, rather than complete reversal.
32.	Question from Hanna Andersen-Zarei to Cabinet Member Cabinet
	Member Development and Safety, Councillor Andrew McKinlay
	Clarence Square is the only intact Regency Square in Cheltenham. Many buildings are grade 2 listed and nearly 200 years old with shallow foundations.
	If a trial period does go ahead is it possible to have traffic monitors at Evesham Rd and Monson Avenue 2 weeks prior to trial and two weeks into trial and have these figures made officially available?
	Response from Cabinet Member
	GCC has committed to a comprehensive 'before and after' traffic study being produced, to assist the TRO Committee in assessing the success of the experimental order restricting traffic at Boots' Corner. This study will require
	significant traffic-flow data to be collected across the inner and outer ring roads, as well as other roads which may be affected by the trial closure.
33.	Question from Hanna Andersen-Zarei to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	My second question relates to the vibrations caused by extra traffic volume. In Clarence Square kerbside to frontage of houses is 8m. In Evesham Rd for example it is 11mnearly half the extra width before traffic. To access the structural implications of extra traffic volume, is it possible in the same period to monitor vibrations and have these figures made officially
	available as well?
	available as well? Response from Cabinet Member

	The closure of Boots Corner will result in a large increase in traffic travelling up Rodney Road, crossing the High Street and continuing up Winchcombe Street, this being the next available south to north route east of the inner ring road at Boots Corner. Would you not agree that there will be a serious safety issue for pedestrians
	using the High Street at the Rodney Road junction, especially for those in the tEquality Groups including the elderly, which has not been addressed by the Due Regard Statement for the CTP, and that the claimed problem of "severance" to pedestrians at Boots Corner will simply be moved further up the High Street and replicated at the Rodney Road junction, with the possible requirement of another two pedestrian crossings, one new Rodney Road and one near Winchcombe Street?
	Response from Cabinet Member
	My understanding is that this situation is not predicted by the model, however, it has been raised by members of the public and GCC will be monitoring the impact along with all the other changes.
	This issue is an example of why a mitigation budget has been identified and indeed, why the TRO Committee has recommended a trial at Boots' corner.
35.	Question from David Rogers to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	I live in Vernon Place (just off the Strand part of the High Street), and I suffer from asthma. Narrowing the Bath Road down to one lane will cause almost constant queuing of traffic along this section of the High Street stretching up to Berkeley Street junction and beyond to the College Road lights.
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	I live in Vernon Place (just off the Strand part of the High Street), and I suffer from asthma. Narrowing the Bath Road down to one lane will cause almost constant queuing of traffic along this section of the High Street stretching up to Berkeley Street junction and beyond to the College Road lights. Do you not agree that this will not only exacerbate air pollution in this area, which is not good for asthma sufferers, but also cause many drivers to make sudden decisions to divert up St James Street, causing unexpected and fast vehicle movements which can be confusing and dangerous for non-wary
	I live in Vernon Place (just off the Strand part of the High Street), and I suffer from asthma. Narrowing the Bath Road down to one lane will cause almost constant queuing of traffic along this section of the High Street stretching up to Berkeley Street junction and beyond to the College Road lights. Do you not agree that this will not only exacerbate air pollution in this area, which is not good for asthma sufferers, but also cause many drivers to make sudden decisions to divert up St James Street, causing unexpected and fast vehicle movements which can be confusing and dangerous for non-wary pedestrians.

air pollution levels in the area, particularly on hot, dry summer days when there were more tourists coming to the town.

In response the Cabinet Member said that he hoped that this would not be the case but explained that this was the purpose of the trial, to gain more information.

Scott Tompkins, Lead Commissioner, explained that the trial would conclude on 6 February. Traffic counters were in place to collect data on site. A site meeting was scheduled the following day to examine journey times and queue lengths. All comments would be taken on board.