

## Council

**Monday, 22nd June, 2015**  
**2.30 - 3.40 pm**

Attendees	
<b>Councillors:</b>	Duncan Smith (Chair), Chris Ryder (Vice-Chair), Matt Babbage, Adam Lillywhite, Chris Mason, Dan Murch, Chris Nelson, John Payne, Max Wilkinson, Wendy Flynn, Andrew Chard, Paul Baker, Garth Barnes, Nigel Britter, Chris Coleman, Bernard Fisher, Jacky Fletcher, Colin Hay, Tim Harman, Rowena Hay, Sandra Holliday, Peter Jeffries, Steve Jordan, Andrew McKinlay, David Prince, John Rawson, Anne Regan, Rob Reid, Louis Savage, Diggory Seacome, Malcolm Stennett, Klara Sudbury, Pat Thornton, Simon Wheeler, Roger Whyborn and Suzanne Williams

## Minutes

### 1. APOLOGIES

Apologies were received from Councillors Clucas, Lansley, McCloskey and Walklett.

### 2. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 3. MINUTES OF THE LAST MEETING

The minutes of the last meeting were signed and approved as a correct record.

### 4. COMMUNICATIONS BY THE MAYOR

The Mayor informed the meeting that Councillor Walklett was currently in hospital and wished him a speedy recovery.

The Mayor highlighted the events he had attended since he had taken up office and said what a great privilege it was to meet people in the community and witness the valuable work that was undertaken.

The Mayor then thanked those Councillors who had been present that morning at the start of Armed Forces Week where the flag had been raised. He informed Members of the Civic Service which would take place at the Cheltenham Minster on Saturday 15 August at 1 pm to mark VJ day. He also informed Members of the British Legion event for VJ day which would be held on 16 August. Cheltenham would be welcoming the Princess Royal on 7 July and on 12 July the Mayoress and the local MP would be undertaking a skydive in aid of the Mayor's charities. At the end of July Gottingen would be hosting visitors from Cheltenham.

Finally the Mayor reminded Members to come appropriately dressed for Council

out of respect for the roles of all Councillors, the Mace and the Queen and the citizens who they were elected to represent.

## 5. COMMUNICATIONS BY THE LEADER OF THE COUNCIL

The Leader thanked the Mayor for his best wishes to Councillor Walklett who he hoped would be home from hospital shortly.

The Leader informed Members that Councillor Barnes would be replaced by Councillor McCloskey on Licensing committee. Councillor Barnes would take up the position of substitute on this committee.

Members were reminded that a member seminar on devolution would be held in conjunction with Tewkesbury Borough Council on 30 June at 2.30pm in Cheltenham or 5 pm in Tewkesbury.

Members were also reminded that the non-statutory consultation on the Cheltenham Plan –issues and options had been launched that day and would be open until 3 August. The Cheltenham Plan sat alongside the JCS.

## 6. PUBLIC QUESTIONS

1.	<b>Question from Ken Pollock to the Cabinet Member Finance, Councillor John Rawson</b>
	<p>At 10 am today, Tuesday 16th June, the promised 'Report of the Cabinet Member Finance' has still not been published for the 'Accommodation Strategy' item, neither for Cabinet at 6pm today, nor for Full Council next Monday. The item is not marked 'Exempt'.</p> <p>As the Finance Member's report has not appeared, it is clearly no longer possible to write a Public Question for that Item by noon today.</p> <p>Both Cabinet and Full Council decisions are marked a 'Key'.</p> <p>Accordingly, <b>how can any Decision properly be made when not only are "28 days" prior publication of <u>any</u> details not being provided but <u>no</u> notification period ?</b></p>
	<b>Response from Cabinet Member</b>
	<p>I am sorry if the inclusion of the Accommodation Strategy on the Cabinet and Council agendas caused Mr Pollock some confusion. It was done several weeks ago in case either Cabinet or Council needed to take further decisions in respect of the property acquisition agreed on 14 April.</p> <p>Since the last Council meeting a great deal of work has been done, not only to progress the acquisition, but also to carry out due diligence in the Council's interests. That has included seeking further independent specialist advice about the valuation and whether the acquisition is financially prudent in the market context. This work, which was continuing up to the middle of June, might have thrown up issues that needed to be brought to Members for consideration. On the contrary, however, the outcome has been to reassure me and officers that the decisions made on 14 April were sound. For that reason, the need for further decisions does not arise and I asked that the agenda items be withdrawn.</p> <p>Therefore, no further report has been prepared or published on the matter.</p>

## 7. MEMBER QUESTIONS

<b>1.</b>	<b>Question from Councillor Tim Harman to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>
	<p>Can I welcome the recent leaflet raising awareness with regard to action to reduce the problems that residents have with Urban Gulls.</p> <p>Can I ask if the Cabinet Member is aware of the experiment being carried out by Gloucester City Council and others using a Bird of Prey as a further deterrent. Would he look at this option and see if he would help the situation on Cheltenham?</p>
	<b>Response from Cabinet Member</b>
	<p>Yes we are aware the Contractors for Glos City did for the first time present a bird of prey during their gull control program this year. The theory being that the presence of the raptor re-enforces a message to the gulls that it is not a good place to nest.</p> <p>The use of birds of prey is a more commonly utilized gull control method in open/rural areas such as landfill sites. However, given the additional costs of this method along with the practicalities of their use in urban areas it has yet to be validated as a value for money exercise.</p> <p>In Cheltenham we did this year trial egg replacement as opposed to the egg oiling method of previous years. As a member of the Severn Estuary Gull Group we receive feedback from other LAs on the 2015 program, this includes Gloucester who will report on any additional benefits of their use of a bird of prey.</p> <p>I can confirm that all available methods and previous outcomes are considered during our annual review of the gull control program here in Cheltenham.</p> <p>In a supplementary question, Councillor Harman asked if there could be report back to Council on the outcome of the trial in Gloucester City.</p> <p>The Cabinet Member acknowledged that the management of seagulls was an important issue for the town and therefore it was important to explore every option and understand the full implications of any proposed solution and how it could be implemented. He looked forward to hearing back from Gloucester City and would keep Members informed of the results.</p>
<b>2.</b>	<b>Question from Councillor Andrew Chard to Cabinet Member Clean and Green Environment, Councillor Chris Coleman</b>
	<p>Could the Cabinet Member please tell me what facilities there are for disabled children to play in the Borough's parks and play areas?"</p>
	<b>Response from Cabinet Member</b>
	<p>Cheltenham Borough Council's adopted Greenspace Strategy includes the 10 principles to play design contained within the Play England document <i>'Design for play; A guide to creating successful play spaces'</i>.</p> <p>The following paragraphs from that document are reflected in our approach to play provision:</p> <p><i>'Successful play spaces offer enjoyable play experience to disabled</i></p>

*children and young people, and to those who are non-disabled, whilst accepting that not all elements of the play space can be accessible to everyone. Children with different abilities can play together in well-designed play spaces, and parents and carers who are themselves disabled should be able to gain access to play spaces if they are to accompany their children*

*‘Though many play providers focus on equipment that is wheelchair-accessible, it is important to recognise that there are many different types of disability or special need. Non-prescriptive equipment, which can be used flexibly – such as a nest swing – might be interesting to large numbers of children with different needs and abilities.’*

The emphasis over the last five or so years has been to encourage inclusive play by installing equipment, where possible, that can be used by children, and in some cases adults and children, with a range of abilities playing together.

The nest swing cited above is a classic example of this. It can be used by several teenagers in the evening, ten or more young children as they leave school, by a parent or carer with a young child in their arms during quieter periods, and is secure enough for a less mobile or independent adult or child to be placed into it. These can be found in Hatherley, Pittville and Naunton Parks and other locations in the Borough.

Other examples of our approach to play areas are:

- the double width slides that will allow two to use it side by side as installed in Agg Gardner’s, King George V and Springfields.
- a specific request was received for a swing seat that could take a harness to secure the user and this was installed in Fairview Play Area. An additional one was later installed in the play area in Elmfield Playing Field in a unit designed to accommodate four children playing together.
- modern designs for multi or climbing play units offer a range of access points ranging from inclined ramps, inclined hand holds, scramble nets, ladders, climbing poles to steps and platforms to allow use by those with a wide range of abilities. Many of these also include panels, colour, sound and sensory elements together with moving parts to enhance the play experience.
- the movement towards Natural Play embodied in the report ‘Design for Play’ has encouraged a more naturalistic style of play set in a natural environment. This introduces a softer, more tactile and sensory play experience that is accessible and stimulating to those with a wide range of abilities. Sites such as Benhall Woods, Springfield’s Park and Agg Gardner’s are examples of this approach.

The Play England document mentions accessibility in several places and this became the cornerstone of our initial approach to inclusive play

	<p>provision. If a child cannot gain access, they cannot play in the area. So to ensure inclusion, most gates have been replaced with 'Mono Hinge' gates that have no latches, are wide and are in a contrasting colour and have a hydraulic unit incorporated that limits the closing speed. These are specifically designed to allow easy access to the less able. In addition, all play areas have a level approach and most of the surfaces are smooth as well as impact absorbing allowing access to all.</p> <p>Over the course of the last five years, we have replaced in the order of 38 play units that can all be considered to be inclusive, together with carrying out extensive resurfacing in three sites. The annual expenditure that has allowed these improvements to be made is based on the allocated budgets of £80,000 Capital and £50,000 developer's contribution together with lesser sums from revenue budgets to replace damaged components or units.</p> <p>The proposed Pittville Park play area refurbishment project typifies our approach to modern play area design methodology. We have built in a stage in the design process to allow for an extensive consultation with individuals and groups representing users with a wide range of abilities to ensure we create an inclusive play experience for all the users.</p> <p>I was delighted to join Council Officers from the Green Space Division and a representative from the Friends of Pittville recently in a visit to play areas in Broadway, Evesham and Slimbridge that were specifically referred to in the recent Pittville Park public consultation exercise. We saw the innovative approach that had been taken to incorporate the needs of children and carers of all abilities and we were particularly impressed with the inclusion of sensual experiences using water, sand, plants, sound and colour. The visit provided inspiration and many of the ideas have been used to inform the design brief that will be advertised as part of the tender process.</p> <p>The Project Team has already established links with a local school catering for children with learning difficulties, and the successful tenderer will be holding design workshops that will inform the final proposal.</p> <p>In a supplementary question, Councillor Chard asked whether the Cabinet Member would agree to meet with him and some of the parents of Bettridge School who may not agree with his response regarding the facilities available.</p> <p>The Cabinet Member said that he had been very impressed by the officers' commitment to this issue and the intention was to have meetings with parents and children from the Bettridge School as part of any consultation. He would be more than happy to meet with Councillor Chard and the parents as requested.</p>
<b>3.</b>	<b>Question from Councillor Anne Regan to the Leader, Councillor Steve Jordan</b>
	<p>When these offices move into the new premises will there still be a Civic Mayor or is it this administrations aim to drop this role?</p>

	<p>Will the new premises have a suitable reception room for the Mayor to greet and meet all our business and overseas visitors?</p> <p>Where will Civic functions be held after the public days during the year i.e. Remembrance Sunday etc. where we would normally assemble in the Municipal Offices?</p>
	<b>Response from the Leader</b>
	<p>The cabinet's view is that the role of the civic Mayor is very valuable to the town and there is no proposal to discontinue it. In any case this would be a matter for the whole Council, not just the administration.</p> <p>I can confirm that the new building would have suitable reception rooms for entertaining visitors, which are a basic requirement of any municipal headquarters.</p> <p>Members will be aware that the proposed new location for the council offices is in the central area, in walking distance of the Promenade, and equipped with on-site parking. Civic receptions after Remembrance Day and other major events could easily be held there.</p> <p>In a supplementary question, Councillor Regan said that for some people walking from the Promenade to the proposed new building would be a considerable challenge and she asked the Cabinet Member if he had considered the needs of the disabled and the veterans.</p> <p>The Leader advised that their needs would be taken on board in the planning of any event but this was still some years away.</p>
<b>4.</b>	<b>Question from Councillor Tim Harman to Cabinet Member Finance, Councillor John Rawson</b>
	<p>Can the Cabinet Member assure that Council that as part of the plans for the relocation of the Borough Council Offices that he will take into account the need to provide Council/Committee rooms with adequate space and access for members of the public who have a right of access to our deliberations.</p>
	<b>Response from</b>
	<p>Councillor Harman should recall that £350,000 has been included in the financial modelling for fitting out a council chamber and committee suite. That said, the flexible layout of the new accommodation will make for more efficient use of space than the existing offices, including the creation of multi-purpose spaces.</p> <p>In regard to public access, I am delighted that Councillor Harman has highlighted one of the major benefits of the relocation that he so unwisely opposed.</p> <p>He will surely recollect that an equality impact assessment was carried out as part of the due diligence work in the papers considered by Councillors on 14 April 2015. That assessment identified the relocation option as a positive impact, mainly because it is in a modern building compliant with the Equalities Act.</p>

	<p>By contrast, the existing Municipal Offices offer poor access for the public, staff and fellow Councillors; a situation which is difficult to rectify because of heritage considerations and the layout of later additions to the building such as the Council chamber.</p> <p>In a supplementary question, Councillor Harman asked whether the Cabinet Member would ensure that the council consults with disability groups so that they have the opportunity to input to the design.</p> <p>The Cabinet Member was happy to confirm this.</p>
<b>5.</b>	<p><b>Question from Councillor Jacky Fletcher to Cabinet Member Finance, Councillor John Rawson</b></p> <p>When the move to the new offices takes place can you tell me what will happen to the historic memorabilia in the Mayor's Parlour?  Much of the Town's heritage is displayed here. There are many gifts from our twin towns e.g. the Goose Girls from Göttingen, as well as presents from Annecy and many more from other parts of the World.  There is the wonderful tapestry donated to the Town, priceless silver, cut glass, the picture of Waterloo, the desk, the clock presented to me when I was mayor and of course The Mace which represents our Queen.  All of this is part and parcel of Cheltenham's history and should be enjoyed by all visitors to our offices.</p>
	<p><b>Response from Cabinet Member</b></p> <p>Clearly the Mayor will need to be provided with suitable accommodation in the new council headquarters. I see no reason why memorabilia and items of historic importance should not be displayed there. Better still, they could be displayed in public areas of the building for people to see, instead of being in the section of the building that is normally closed to the public, as they are at present.</p> <p>In a supplementary question, Councillor Fletcher asked whether there was a firm commitment to maintaining a Mayor's parlour.</p> <p>The Cabinet Member confirmed that the role of Civic Mayor would be maintained and this would involve providing the appropriate accommodation for them. The move to modern offices did create new possibilities for shared space and therefore he would not be too prescriptive as there may be an option for the Mayor's office to be used for other purposes.</p>

## **8. PETITION FOR CCTV PROVISION IN CHELTENHAM**

The Mayor referred Members to the process for dealing with petitions as laid down in Appendix 2 and then invited the petitioner, Mr Zach Bromfield to address Council.

Mr Bromfield firstly addressed the issues that were inherent in the petition taking shape. He explained that he had incorrectly assumed that an attack on a teenage girl in Brunswick Street, which had prompted him to start the petition, had taken place on 2<sup>nd</sup> May this year but it had actually taken place last year. He then explained that he had chosen to start this petition on Change.org

instead of the council's website because he felt that he would reach more people, including families outside of Cheltenham concerned for relatives or friends living in the community and therefore believed this would improve the petition's chances of success. He also stated that the information used for this petition was solely from the Gloucestershire Echo. However, he had subsequently received information from the Police that the incidents of crime in these areas differed to what was mentioned in the petition. He provided members with the details of these incidences. Crime had been reduced overall thanks to the actions of Streetwatch and other actions taken by the community to assist crime-prevention. Mr Bromfield said that having consulted with council officers and Streetwatch he recognised that in a time of austerity, prioritisation was inevitable and therefore he intended to focus on Brunswick Street as the main area to have CCTV placed. He felt that it was wrong that residents living in St Paul's should feel anxious about crime in their area and that he had not intended to give places he had mentioned a bad representation as an unsafe place to be nor damage the University's reputation.

He explained that he had started this petition because of recent concerns he had developed over the security measures placed in certain areas of Cheltenham. Brunswick Street in particular had, according to fellow students, gained a bad reputation as an unsafe street to walk down at night. He had learned via the Gloucestershire Echo that there were other areas vulnerable to violent crime and in some of their interviews, there were several concerns raised over the choice to implement CCTV in these areas as a way to deter or assist the police in tackling violent crime.

Mr Bromfield believed that CCTV placed in Cheltenham, or at least Brunswick Street, would be a good idea, for several reasons as supported by Streetwatch:

- CCTV would help deter criminals and also ensure their detection. The Brunswick Street area next to Matalan is considered a desolate spot, lacking overlooking residential windows and therefore a lack of witnesses.
- CCTV can also be used therefore to disprove alibis criminals will use, for example that they say they went down one alleyway when the footage can show that they went down a different way.
- CCTV would make people feel more secure when walking down certain areas of Cheltenham at night.
- It would be an effective symbol to reduce the fear of crime.

Mr Bromfield referred to research from the Streetwatch Residents Coordinator that even though the St Paul's Area and Brunswick Street were in fact safe areas, significant fear of crime existed in St Paul's due to the media portrayal, particularly among the student population. This was reflected in their comments when signing the petition. He acknowledged that the media sensationalised crime in St Pauls. Streetwatch did however agree that CCTV was a good idea. He reported that Police Sgt. Julia Martin-Jones supported any CCTV initiative taken by the council as she believed cameras could be positive in detecting and deterring crime.

Finally Mr Bromfield challenged whether there needed to be a third sexual assault in Brunswick Street or further crimes before steps were taken to improve security in the St Paul's Area. He hoped that the Council would take



into account what had been said in the comments of this petition, why he had initiated it, and asked that it would continue to ensure and take steps to make Cheltenham a safer place to live in.

The Cabinet Member Development and Safety thanked Mr Bromfield for his petition on what was an important issue. He said the borough council took the issue of fighting crime seriously. The council worked closely with the police on CCTV and the level of financial commitment was illustrated in paragraph 3.2 of the report. This was not all focused on St Paul's but £50k was dedicated to CCTV in the town centre. He reported that the police believed that CCTV was an effective deterrent to crime but did not believe St Paul's was a special case with crime statistics actually falling in that area. He believed that the "fear of crime" was as much of an impediment as crime itself. The council was currently in negotiations with the police about how CCTV coverage could be taken forward.

The following points were made and then addressed by the Cabinet Member :

- Local crime statistics provided by the Police did not differentiate between those crimes which had been solved due to CCTV and those solved by other means
- It was noted that whilst there was CCTV on the Honeybourne Line, coverage could benefit from being extended northwards and potentially a bid could be made to the Local Sustainable Transport Fund as the aim would be to provide a safer walking and cycling route. The Line was often used as an approach and escape route for criminals.
- Some members believed that the need to protect civil liberties must be balanced with the need to deter criminals and solve crime and this should be taken account of when considering extending CCTV.
- Members recognised that while the evidence was "ambiguous" on exactly how many crimes have been solved primarily because of CCTV the petition had illustrated the significant public concern. Without doubt CCTV played an enormous part in the detection of crime.
- Timescale for review-the Cabinet Member reminded Members that as the Police were relocating to Waterwells this was ongoing. He explained that CCTV was currently monitored from Lansdown Road whilst the Borough Council maintained the CCTV cameras
- S106 monies from the sale of Midwinter allotments may be available to fund capital costs for CCTV

## **RESOLVED**

- 1. That the request for additional CCTV in the St Paul's area be noted**
- 2. That this request be considered as part of the overall review of current CCTV provision within the Borough.**

## **9. SECTION 151 OFFICER INTERIM ARRANGEMENTS**

The Cabinet Member Finance introduced the report and explained that this was in response to a request from the Director Resources to release capacity in order to deliver on key corporate projects such as the Accommodation Strategy, Vision 2020 partnership and the Asset Management Plan. In the interim it was proposed that the role of S151 Officer be taken up by the Deputy Section 151 Officer via a secondment for a period of 18 months. It was noted that the

Deputy Section 151 Officer held the position of S151 Officer at Forest of Dean District Council.

When asked what the financial implications were for these interim arrangements, the Cabinet Member reported that GO Shared Services have costed the implications of the proposal at £30k per annum. This was due to the reallocation of responsibilities within the Finance team. This cost could be met from the Transformation Challenge Award (TCA) paid to the 2020 vision partners.

In response to a question the Cabinet Member Finance clarified that the S151 officer was a member of the Senior Management Team and the Executive Board and the existing Director would continue to attend them.

### **RESOLVED**

**That the Deputy Section 151 Officer be designated, in an interim seconded capacity for 18 months, to the role of Section 151 Officer until further notice.**

**10. ACCOMMODATION STRATEGY**

This item had been withdrawn from the agenda.

**11. NOTICES OF MOTION**

None received.

**12. TO RECEIVE PETITIONS**

None received.

**13. ANY OTHER ITEM THE MAYOR DETERMINES AS URGENT AND WHICH REQUIRES A DECISION**

None.

Duncan Smith  
**Chair**