

## Council

**Monday, 12th December, 2016**  
**2.30 - 7.00 pm**

<b>Attendees</b>	
<b>Councillors:</b>	Chris Ryder (Chairman), Klara Sudbury (Vice-Chair), Matt Babbage, Paul Baker, Garth Barnes, Nigel Britter, Chris Coleman, Mike Collins, Bernard Fisher, Wendy Flynn, Tim Harman, Steve Harvey, Colin Hay, Rowena Hay, Karl Hobley, Sandra Holliday, Peter Jeffries, Steve Jordan, Adam Lillywhite, Chris Mason, Helena McCloskey, Paul McCloskey, Andrew McKinlay, Dan Murch, Tony Oliver, Dennis Parsons, John Payne, Louis Savage, Diggory Seacome, Malcolm Stennett, Pat Thornton, Jon Walklett, Simon Wheeler, Roger Whyborn, Max Wilkinson, Suzanne Williams and David Willingham

## Minutes

### 1. APOLOGIES

Apologies were received from Councillors Flo Clucas and Chris Nelson.

### 2. DECLARATIONS OF INTEREST

Councillor Jeffries declared a personal interest in agenda item 16 for reasons previously given.

Councillor Whyborn declared an interest in agenda item 16 as a trustee of St Margaret's Hall and announced his intention to leave the meeting for that item. Similarly Councillor McKinlay declared an interest as the Council's representative on the hall committee.

### 3. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 17 October and the extraordinary meeting on 18 October were approved as a correct record.

### 4. COMMUNICATIONS BY THE MAYOR

The Mayor advised Members that Rob Bell, the MD of Ubico was retiring before Christmas. He had worked for the council for many years before that and she invited Members to sign his leaving card.

The Mayor updated Members on her engagements since the last Council meeting in October. These included:

- The launch of the poppy appeal had started at GCHQ with the 'Waterfall' of handmade poppies made by GCHQ employees, WI members and Girls Guides. This year our trees on the Promenade sported knitted and Crochet jackets to launch Gloucestershire and Cheltenham poppy appeal. The Mayor thanked Members who had attended Remembrance

Sunday at the Memorial in the morning and the event at the Town Hall in the evening.

- The Mayor thanked all Members who attended the 'Mayflower' fundraising evening for my charities, this was an opportunity to present the VisitCheltenham Hospitality Trophy award Mr. Chun Kong restaurateur for 34 years in the town and for his charitable work.
- Accepted the Purple Flag award for the town with Cllr.McKinlay & officers from Licensing & Protection along with Police Commissioner Martin Surl.
- Attended the University of Gloucestershire Awards at the Centaur, it had been an honour in her robes to present 'The Cheltenham Silver Bowl' to a well deserved student for her work in the local community. Gloucestershire College Higher Awards took place at Gloucester Cathedral; and it had been a pleasure to be in attendance.
- The Mayor had welcomed Princess Anne at two events along with Councillors Mr & Mrs Hay at the Racecourse and the Town Hall.
- Attended the funeral service of Miss Stella Fisher who had been Chair of Cheltenham in Bloom in the 1990s who had raised the profile of our Parks Department and helped achieve many accolades for the Town.
- The Mayor had attended at School Christmas singing events which have been superb and she would have attended over 12 Carol services and concerts through December. She thanked her Chaplain Tudor Griffiths for the Carol Service at The Minster.

## **5. COMMUNICATIONS BY THE LEADER OF THE COUNCIL**

The Leader advised that the next debate on the JCS would be at Council on 10 February. This meeting would follow a similar debate at Tewkesbury Borough Council on 31 January so he anticipated a short debate.

He advised that after taking soundings from other Members he had submitted a personal response to the government consultation on the Parliamentary boundary review. He did not support the removal of Springbank from the Parliamentary constituency for Cheltenham as he did not consider this was necessary to make up electoral numbers.

## **6. PUBLIC QUESTIONS**

Although there were no public questions for this meeting the Mayor took the opportunity to address Council on the general issue of Member and public questions for Council as she had some concerns following the Council meeting on 17 October. She felt it was very important how Members were perceived by the public and since the meeting she had met with officers to review how the process could be improved. There had also been discussions with Group Leaders and this had resulted in a set of guidelines which she wished to adopt for future meetings. She emphasised that these were not constitutional changes but they represented a set of good practice for the procedures and behaviours to be followed in the Council chamber.

Firstly the Leader would aim to get answers to questions with Democratic Services by 10 am on the day of the Council meeting subject to getting all the technical input needed. Democratic Services will advise the public that the questions and responses will be available on the website on the morning of the

meeting by 11 am, allowing that some may require further finalisation on the day. This should give questioners plenty of time to review the responses given and prepare any supplementary questions.

At the start of Public Questions the Mayor will remind any public in the gallery that hard copies of the questions and responses are available at the back of the gallery so they can follow proceedings.

The Mayor will stress to Members of the public that questions and responses will be taken as read to save time unless they make a specific request to read out their question which is their right under the Constitution. The Constitution allows 30 minutes in total for questions which could be extended at the Mayor's discretion but it was important to make the best use of the time available and allow time for everybody to ask their questions.

Regarding supplementary questions, these should be directly related to the original question or the response and be a question rather than a statement and a lot of background should not be necessary. The Mayor would enforce this during the meeting and prompt the questioner to put their question when necessary.

When responding to questions the Mayor urged Members to respond specifically to the supplementary question asked and answer it concisely.

If a questioner feels their question has not been answered then just repeating their original question is likely to get the same answer so the questioner could consider asking the question in a different way.

The Mayor reminded Members that it is more difficult for the public in the gallery to follow the debate so she asked Members to speak clearly into the microphones and keep any papers clear of the microphones.

During all the proceedings the Mayor requested that Members treat each other and the public with respect. The Council should be encouraging the public to get involved and ask questions so Members needed to respond politely, positively and with clarity.

Finally the Mayor asked the Head of Legal Services to clarify the differences between points of order and points of personal explanation as there had been a number of these at recent meetings. He referred Members to section 13.30 of the Council Procedure Rules.

## **7. MEMBER QUESTIONS**

There were 15 Member Questions.

<b>1.</b>	<b>Question from Councillor Tim Harman to the Cabinet Member Healthy Lifestyles, Councillor Flo Clucas</b>
	Will the Cabinet Member consider promoting an Open Air Ice Skating Rink at an appropriate location next year similar to those which are successful and popular in other Towns and Cities?
	<b>Response from Cabinet Member</b>
	In thanking the Councillor for his question, I am mindful that this is being

	<p>discussed in other quarters. Until I know what the outcome of those discussions is, I feel I would be on a slippery slope; skating on thin ice indeed if I were - at this moment - to respond!</p> <p>In a supplementary question, Councillor Harman indicated that he would be happy to receive a more detailed response outside the meeting should there be commercial sensitivity but he was keen to know whether the Cabinet member considered this type of attraction would be good in principle.</p> <p>The Leader responding on behalf of Councillor Clucas, advised that the council had supported similar events in the past and would encourage other organisations to put on such events. He noted that the ice rink in Gloucester was entirely privately funded. The BID had been discussing plans for Christmas in the town next year and although these discussions were not commercially sensitive this was not the council's conversation hence the response from Councillor Clucas.</p>
<b>2.</b>	<b>Question from Councillor Dennis Parsons to the Cabinet Member Healthy Lifestyles, Councillor Flo Clucas</b>
	<p>28 February 2017 marks the 75th anniversary of the birth of Brian Jones, founder of the Rolling Stones. I understand that the bust of Brian that was removed from the Beechwood Arcade has been due to be put back on public display for some time. Can we be told when and where this will happen; and can we be assured that plans are in place to celebrate on 28 February 2017, the birth and sadly short life of a man who, to many, is Cheltenham's most notable son.</p>
	<b>Response from Cabinet Member</b>
	<p>The bust of the late Brian Jones is currently with The Cheltenham Trust. The Trust is looking into its display at the Town Hall during 2017; details are being finalised and will be publicised. I understand that the Trust is also considering how the anniversary of his birth can be marked.</p> <p>In a supplementary question, Councillor Parsons noted that there were two Council meetings between now and the anniversary and he would ask the question again at those meetings.</p>
<b>3.</b>	<b>Question from Councillor Jon Walklett to the Cabinet Member Housing, Councillor Peter Jeffries</b>
	<p>Would the Cabinet Member please comment on early results being generated by the Private Rented Sector HMO survey of St Paul's ward currently being conducted by CBC's Private Housing team. I believe Interim figures as reported to O&amp;S on 28th November seemingly substantiate the views of both St Paul's residents and cross-party members of this Council's Planning Committee that additional planning control by way of an Article 4 directive to remove permitted development rights in the ward will need to be sought early 2017 - does the Cabinet Member agree ?</p>
	<b>Response from Cabinet Member</b>
	<p>The full results of the survey will be available for analysis in January/February next year. Early indications suggest there are in the region of 300 HMO's (circa 10% of stock) in the St Pauls ward area, the majority of which are being managed</p>

	<p>satisfactorily.</p> <p>The survey is gathering evidence on the environmental impact of HMO's in the St Pauls area in addition to property safety and management. Refuse issues, amenity issues and parking requirements are being recorded as well as evidence of anti-social behaviour relating to the house. This will help inform any decision regarding the making of an article 4 direction in this ward.</p> <p>Government guidance states that Local Authorities should only consider making an article 4 direction in exceptional circumstances where the exercise of permitted development rights would harm local amenity or the proper planning of the area.</p> <p>Impact on visual amenity, damage to the historic environment, undermining local objectives to create or maintain mixed communities and social and economic impact directly related to the prevalence of HMO's, are all factors which would need to inform any decision. These factors should be benchmarked against other areas of the Borough where HMO's are less prevalent.</p> <p>It therefore follows that the use of an article 4 direction to remove permitted development rights in the St Pauls ward will need to be progressed if the community concern which has been raised is mirrored in the evaluated evidence.</p> <p>In a supplementary question Councillor Walklett indicated that a number of premises inspected had been found to be unlicensed and he asked whether a follow-up process was in place for addressing these properties.</p> <p>In response the Cabinet Member confirmed that a process was in place for dealing with these unlicensed premises as they were picked up.</p>
4.	<p><b>Question from Councillor Matt Babbage to the Cabinet Member Clean and Green Environment, Councillor Chris Coleman</b></p>
	<p>What were the estimated recycling levels and financial costs of the discounted long-list options from the waste &amp; recycling service redesign assessment?</p>
	<p><b>Response from Cabinet Member</b></p>
	<p>The long-list of 20 options were reduced to a shorter list of 7, based on a combination of expert advice and common sense. The whole point of reducing the long-list to a shorter range of options was so that a more manageable list of options could then be worked on to consider and compare recycling levels and their respective financial costs. When whittling them down from 20 to 7, the options were discounted on any one of the following reasons:</p> <ul style="list-style-type: none"> <li>· The option could be perceived as a service reduction compared with what is offered to residents currently.</li> <li>· The option was a less comprehensive (and therefore less attractive) offer than the 3 weekly refuse collection offer that was subsequently consulted on.</li> <li>· The option offered what was likely to be a much more costly recycling collection service (because it was a weekly offer), and this was considered to be unaffordable unless a service reduction was offered elsewhere (hence the 3 weekly refuse option of 5b)</li> <li>· The option offered a comingling service that included glass. This option is</li> </ul>

	<p>considered no longer to be favoured by the industry and leads to higher gate fees/tonne to sort, with higher risks of non-compliance with Waste Regulations 2011 due to expected increases in recyclate contamination levels.</p> <p>The shortlist of 7 then underwent some high level indicative modelling on the estimated financial costs and recycling levels. Of the two options that were subsequently discounted, both were found to be within the indicative cost range of all the options modelled, and indeed they fell within the cost range of the 3 options that were eventually put out to consultation. These 2 options both proposed a 3 weekly refuse collection service. It was therefore expected that recycling levels would be in line with those estimated for the 3 weekly refuse option, which was consulted on. The reason these 2 options were discounted was not for financial reasons, or for reasons to do with recycling levels. One of the options simply offered a less attractive service option than the 5b option (3 weekly refuse collection). The other option was discounted because it was decided instead to consult with residents on what they considered the most important enhancements should be (in terms of what additional recyclates could be collected from the kerbside) across <u>all 3</u> of the service options, rather than simply providing the enhancement option on the 3 weekly refuse collection service option alone.</p> <p>In a supplementary question, Councillor Babbage referred to the number of long list options that had been discounted and asked for the precise costs of options 6A with a weekly recycling but fortnightly bin collection.</p> <p>The Cabinet Member advised that in dealing with this question the officer who could provide detailed information was on annual leave which is why the figures were not attached but he would be happy to forward them to all Members when they were available.</p>
<b>5.</b>	<b>Question from Councillor Matt Babbage to the Cabinet Member Built Environment, Councillor Andrew McKinlay</b>
	<p>What are the latest air pollution statistics for Air Quality Management Areas (AQMA) in Cheltenham? How does this compare to previous years?</p>
	<b>Response from Cabinet Member</b>
	<p>The published 2015 air pollution data is the most recent available (i.e. up to December 2015).</p> <p>The Council, on a monthly basis, places passive monitoring devices (commonly known as NOx tubes) at various locations within the Borough in order to monitor Nitrogen Dioxide. These tubes are used to assess whether that particular location, over a calendar year, passes or fails the air quality objective for Nitrogen Dioxide.</p> <p>It will not be possible to fully assess 2016 air quality levels until the readings for December are received, around the middle of January. However, Cheltenham has experienced only a slight movement in Nitrogen Dioxide readings over the past 5 years and there are still several distinct town centre locations which are likely to continue to fail the relevant objective, due almost solely to vehicular traffic. Any downward trend is invariably offset by year-on-year increases in the use of motor vehicles for the expanding population.</p> <p>Only radical measures to address congestion, such as those set out in the</p>

	Cheltenham Transport Plan are likely to have a significant impact on the distribution of air quality impacts.
<b>6.</b>	<b>Question from Councillor Matt Babbage to the Cabinet Member Built Environment, Councillor Andrew McKinlay</b>
	What steps have the council taken in the last year to address the issue of air pollution in Cheltenham generally, and in AQMA areas specifically?
	<b>Response from Cabinet Member</b>
	<p>The Council decides, at year end, whether it is necessary to continue monitoring for Nitrogen Dioxide at current locations, or whether to discontinue this if the past 4 years indicates that the location in question always comes below the limit values. We also look at putting monitoring devices at locations where new or increased residential areas are in existing poor air quality locations.</p> <p>The authority is involved in a range of projects which will impact on air quality and has set out specific actions in its Air Quality Action Plan. The first phase of the Cheltenham Transport Plan which the authority has championed has been implemented, improving the access to car parks from vehicles approaching the town from the west and saving them from having to circle the ring road.</p> <p>We have worked with Gloucestershire County Council (GCC) to formulate a joint bid under the Air Quality Grant Scheme 2016-17, which has since been submitted to the Department for Transport. This bid asks for funding to commission specific electronic traffic signage, directing visitors to the town centre to the nearest vacant car parking spaces, hence avoiding vehicles taking longer than normal routes and thereby helping to reduce vehicle emissions.</p> <p>The Council has also worked with GCC with regard to another initiative, the 'Air Quality School Pilot Project', which is incorporated into the Thinktravel Schools Programme. The County are funding the project through the Thinktravel grant. The project looks to supply schoolchildren with personal Carbon Monoxide monitors, so that levels of that pollutant can be assessed at the time students arrive at the school gate. The Thinktravel Schools Engagement programme aims to reduce car travel and increase levels of active travel, through an accredited travel plan scheme. This will examine issues and solutions raised through the AQ School Pilot Project as part of the evidence for schools' travel plans. This study is ongoing.</p> <p>The Council recently also contacted a local bus company about vehicle idling, which has led to that company reminding their drivers to switch off their engines when at all possible. This is already taking place and such a measure is likely to have a direct result in improving local air quality.</p>
<b>7.</b>	<b>Question from Councillor Matt Babbage to the Cabinet Member Housing, Councillor Peter Jeffries</b>
	How many families/individuals are currently on the housing waiting list in Cheltenham? How does this compare with previous years? How long on average have these families/individuals been on the list?
	<b>Response from Cabinet Member</b>
	Currently there are 2823 individuals or families on the Housing list. In terms of how this compares with previous years please see below:

Nov 2016	2805
April 2016	2755
Nov 2015	2500
April 2015	2469
Nov 2014	2534

The average length of time families or individuals have spent on the Housing list is not recorded, as part of the Review of the Housing Options service this may be subject to change.

**8. Question from Councillor Matt Babbage to the Cabinet Member Housing, Councillor Peter Jeffries**

How many families/individuals on the housing waiting list were allocated a home in the last year? How does this compare with previous years? How long on average had these families/individuals been on the list?

**Response from Cabinet Member**

Applicants housed:

2016 / 17 (till end of Nov)	2 5 8
2015/ 16	4 8 6
2014 / 15	5 0 6

The average length of time families or individuals had spent on the Housing list is not recorded, as part of the Review of the Housing Options service this may be subject to change.

**9. Question from Councillor Matt Babbage to the Cabinet Member Housing, Councillor Peter Jeffries**

How many families/individuals withdrew or were taken off the housing waiting list in the last year? How does this compare with previous years? How long on average had these families/individuals been on the list?

**Response from Cabinet Member**



	The number of applicants coming off the list was not something previously recorded so information is very limited as part of the Review of the Housing Options service this will be subject to change.
<b>10.</b>	<b>Question from Councillor Chris Mason to the Cabinet Member Finance, Councillor Rowena Hay</b>
	Would the Cabinet Member for finance please confirm the cost of the 2011 Tourism and marketing strategy report, and the 2015 tourism strategy report?
	<b>Response from Cabinet Member</b>
	<p>The 2011 tourism and marketing strategy report was carried out by a joint scrutiny time limited working group. There were no external costs attached to producing it, the internal and member costs, as far as I am aware were never separately identified, what I do know is that a member namely John Rawson wrote the final report.</p> <p>The cost of the 2015 strategy report carried out by Creative Tourist Limited was £22, 750.</p>
<b>11.</b>	<b>Question from Councillor Chris Mason to the Leader, Councillor Steve Jordan</b>
	Earlier this year the Leader of the council said that he was delighted with the 2015 tourism annual growth figure. Would he agree that unfortunately the liberal democrat led council can take no credit in achieving this and that ignoring all the recommendations in the 2011 tourism and marketing strategy report it commissioned was a mistake?
	<b>Response from Cabinet Member</b>
	<p>The Liberal Democrat administration recognises that developing a tourism offer is very much a partnership activity and have always worked to ensure we have a town that people can enjoy living and working in and well as visiting. We have set up a Tourism Partnership to ensure close working with those involved in the tourism industry locally. In addition we support the work done by the Cheltenham Business Improvement District and the Cheltenham Development Task Force among others as we recognise that they contribute to making Cheltenham an attractive place to visit</p> <p>I am mystified why Cllr Mason claims the previous recommendations were ignored since it isn't the case. It is true that in the intervening 5 years circumstances have changed not least that the Cheltenham Trust now run the Cheltenham Tourism Information Centre and the LEP have withdrawn from funding tourism support activities at a county level. However we are working closely with the LEP on initiatives such as the Digital High Street. Based on the work of Creative Tourist Limited we have agreed and are implementing an action plan with the Tourism Partnership.</p> <p>In a supplementary question, Councillor Mason referred to a recent media release from the council which had stated that tourism was 5% up in August and other statistics. However in the context of figures released by Visit Britain and with the success of Marketing Gloucester in promoting tourism in Gloucester would the Leader acknowledge that this council's actions on tourism were pathetic and</p>

	<p>woeful?</p> <p>The Leader did not agree that the figures were bad and the council had set up a Tourism Partnership to enhance them. The CDTF was set up to improve the civic realm and the council was also trying to encourage the county council to play their part in improving areas which came under their remit. The BID would also play a key role. Gloucester's tourism figures may have been helped by the Rugby World Cup event. There was lots that the council could do and they were doing it.</p>
<b>12.</b>	<b>Question from Councillor John Payne to the Cabinet Member for Clean and Green Environment, Councillor Chris Coleman.</b>
	<p>In the quarterly progress report it stated that the Crematorium was now not expected to be completed until early 2019.</p> <p>I would be obliged if the Cabinet Member could outline the cause of this delay, and if possible quantify the impact on the budget.</p>
	<b>Response from Cabinet Member</b>
	<p>As Councillor Payne is on the Member working group which has been acting as a sounding board for the project, he will be aware that the authority has not yet contracted for the construction of the new crematorium, but is proceeding with the pre-construction phase, which will result in the submission of a detailed planning application.</p> <p>In light of the above, the timetable for delivery of the new facility is not yet fixed and there has never been a definitive date given for project completion. The cross-party member working group has always been supportive of the need to deliver this project to an acceptable quality and has been made fully aware of the range of risks relating to the project, including those which may impact on costs and/or the delivery timetable.</p> <p>The timetable remains an important consideration due to the limited life expectancy of the existing cremation plant and Spring 2019 is the current best estimate of the likely completion date.</p> <p>I am pleased to advise that the project is still currently within the Council approved budget. Recent pressures on the project timetable have related to procurement procedures and the commissioning of study reports which will support the design and planning application process. It is hoped that the extensive preparatory work undertaken will have a positive impact on the project plan timetable further down the line.</p> <p>In a supplementary question, Councillor Payne indicated that the timescales for the project had been extended and it had been reported to O&amp;S that implementation could now be early 2019. Given the particular history of the cremators and the recent appearance of black smoke coming from them, what contingency plans does the council have if the cremators should fail in the interim?</p> <p>The Cabinet Member advised that contingency plans are in place for every eventuality and they had indeed been activated in the past. These involved</p>

	working with other facilities and seeking support from other councils, particularly Gloucester. These plans had been put in place regardless of the development project and after further reviews he was very confident that all the necessary contingency plans were in place.
<b>13.</b>	<b>Question from Councillor John Payne to the Cabinet Member for Development and Safety, Councillor Andrew McKinlay</b>
	<p>The 2015 report on air quality in Cheltenham provided some interesting comments observations. Firstly according to the report the annual level of Nitrogen Dioxide had remained fairly constant, which suggests that either remedial action had not taken place, or if it had it had been effective. However, my main concern, and I would appreciate some clarification on the issue. The report states:</p> <ul style="list-style-type: none"> <li>• There are continued exceedances of the nitrogen dioxide annual mean objective within the AQMA.</li> <li>• There are no other pollutants of concern within Cheltenham Borough Council.</li> </ul> <p>The first statement is clearly of concern, but the second is confusing. How do we know there are no pollutants of concern if we have not tested for them? The argument that the levels when last tested were within the accepted limits does not in my view justify suspension of monitoring. Monitoring should be continuous in order to provide a level of confidence and to detect trends early.</p>
	<b>Response from Cabinet Member</b>
	<p>The 2015 Air Quality Assessment did indicate a fairly static situation with regard to poor air quality in certain central areas of the town.</p> <p>It is difficult to assess whether specific air quality improvement measures outlined in the Air Quality Action Plan (AQAP) have contributed to an improvement in air quality in the town centre, as there is invariably a corresponding increase in vehicle usage annually. Despite concerted efforts to encourage modal shift, it is difficult to persuade car drivers to leave their cars at home and use public transport, bike, or walk into the town centre, or to walk their children to school.</p> <p>There will continue to be exceedances of the nitrogen dioxide annual mean objective at a small number of town centre locations until traffic issues are addressed and the Borough Council can only seek to influence how highways are managed by the County Council.</p> <p>With regard to “other pollutants of concern” CBC undertook a Stage 1 review of air quality in 1999, which indicated that only two pollutants, nitrogen dioxide (NO<sub>2</sub>) and particulates (PM<sub>10</sub>) required more detailed consideration. A Stage 2 assessment was undertaken in 2000, which concluded that a Stage 3 assessment would be required for NO<sub>2</sub> only. The ‘Cheltenham Borough Council Progress Report 2003’ sets this out in more detail by pollutant, including the reasons why Nitrogen Dioxide was the only pollutant which needed to be monitored annually.</p> <p>This report can be found here</p> <p><a href="https://www.cheltenham.gov.uk/info/66/environmental_protection_and_pollution/2">https://www.cheltenham.gov.uk/info/66/environmental_protection_and_pollution/2</a></p>

	<p>88/air_quality/2</p> <p>Although several locations fail the limit values for Nitrogen Dioxide, the readings show only marginal exceedences. These compare favourably to larger conurbations where measured values can be around double the limit values. Some areas of London for example experience readings for Nitrogen Dioxide of the order of 90 microgrammes per cubic metre, way above the limit value of 40 microgrammes per cubic metre.</p> <p>There is a very close correlation between particulate matter and Nitrogen Dioxide. Where NO2 levels are around the limit values, the levels for particulate matter are very much below the limit value for that pollutant. This is the basic premise for discontinuing the monitoring of particulates.</p> <p>In a supplementary question, Councillor Payne noted that there had been little improvement in air quality in the last five years as evidenced in the 2015 report. It had been suggested that air quality should be improved once the Cheltenham Transport Plan was implemented and he asked what measures would be put in place to demonstrate this?</p> <p>In response the Cabinet Member confirmed that there were three areas of the road network in Cheltenham where NO2 levels were above the recommended safety levels. The main cause of this pollution was standing traffic and the implementation of the CTP in these areas was designed to promote good traffic flow. Levels would be monitored using existing measures so that comparisons could be made and he would certainly hope to see reductions in the levels.</p>
14.	<p><b>Question from Councillor John Payne to the Cabinet Member for Development and Safety, Councillor Andrew McKinlay</b></p>
	<p>In the Athey Report, January 2015 it noted that the Cheltenham workforce was well educated and skilled, but that productivity was lower than expected. The Council were encouraged to focus upon attracting and supporting businesses which add high value GVA (Gross Value Added) into the economy.</p> <p>Could the Cabinet Member outline what progress has been made in attracting and supporting businesses?</p>
	<p><b>Response from Cabinet Member</b></p>
	<p>This administration commissioned the Athey Report which identified some negative economic trends that had developed over a significant time period. In response, the Council's senior management team was restructured providing a strong focus on Place-shaping and economic growth. Over the last 12 months, considerable progress has been made driving this growth agenda forward, of which increasing productivity levels is an important element. We have been putting significant focus on the delivery of an employment growth area at West Cheltenham and the JCS inspector has indicated support for bringing this site forward.</p> <p>Officers, with the support of the Cheltenham Development Task Force, are now working in collaboration with Government departments, GCHQ, the LEP, County Council, the local MP and other stakeholders, to deliver a hi-tech cyber business</p>

	<p>park with the GCHQ innovation centre for national cyber security as the anchor. To assist with and accelerate the delivery of this hi-tech business park, the LEP has supported a Growth Bid submission for infrastructure and a bid has been submitted to HCA to increase resource capacity. In addition, we are developing other strands of innovation to support existing businesses to grow and to attract and nurture those looking to relocate or start-up. For example, we recently announced the launch of an ultra-fast broadband pilot, introducing a fibre network in Cheltenham, putting us at the forefront of the digital agenda nationally.</p> <p>These and other developments are enshrined in the emerging place strategy – strengthening Cheltenham’s economy and positioning ourselves as a market leader in digital and cyber industries.</p> <p>In a supplementary question, Councillor Payne suggested that a lot of emphasis was being put on the Cyber Park development and he asked what support the council would be giving to small businesses particularly as a recent report had claimed that 80% of new businesses in Cheltenham were failing in their first year.</p> <p>In response the Cabinet Member suggested that the national figure for small businesses was also high and in the order of 60%. The intention was to encourage businesses of all types to set up in Cheltenham. This would be assisted by the development of the Cheltenham Local Plan which would identify potential employment land and the council would also work with the LEP to promote smaller businesses. The council would be working with partners to promote the retail sector and retail tourism was also important to the town. The council would also be looking to support start-up businesses by identifying suitable small-scale sites which would be ready to go.</p>
<b>15.</b>	<b>Question from Councillor John Payne to the Cabinet Member for Development and Safety, Councillor Andrew McKinlay</b>
	Could the Cabinet Member please affirm that all the CCTV cameras in Cheltenham are now fully operational?
	<b>Response from Cabinet Member</b>
	<p>The Council is not responsible for <i>all</i> CCTV cameras in Cheltenham, but does have an extensive network of cameras in our car parks and also owns and maintains public realm cameras operated by Gloucestershire constabulary.</p> <p>For obvious reasons, the Council avoids providing a running commentary on whether or not particular cameras are operational. However, the authority has a very productive relationship with Gloucestershire constabulary in relation to public realm CCTV, which is now being actively monitored from Waterwells in Gloucester.</p> <p>New equipment in the CCTV control room means that coverage is much improved and the authority is in the process of procuring new high definition cameras to replace the analogue technology which is now coming to the end of its useful life.</p> <p>Officers visited the new police CCTV control room during week commencing 5<sup>th</sup></p>

December and have confirmed that they are now happy with the CCTV coverage in Cheltenham town centre, following the relocation of the facility from Lansdown Road.

A review of public realm CCTV provision and the associated implementation programme for upgrading is a significant corporate project, which is now subject to regular progress reporting through the Senior Leadership Team.

In a supplementary question, Councillor Payne was reassured by the response but there had been reports from Gloucestershire Constabulary back in the summer which indicated that over half the CCTV's were malfunctioning. Could the Cabinet Member give reasons why this would not happen again in the future?

In response the Cabinet Member acknowledged that there had been problems in the summer period but these had now been addressed. The council was responsible for the maintenance of the cameras with the police responsible for their operation. The cameras were old and required a lot of work to maintain them but he was confident that an adequate process was in place for monitoring their operation and maintenance.

#### **8. PETITION TO PROTECT THE SERVICES AT RISK BY THE CLOSURE OF OAKLEY NEIGHBOURHOOD PROJECT**

The Mayor referred Members to the covering report for this item and the procedure to be followed. A petition to protect the services at risk by the closure of Oakley Neighbourhood Project was received at the last Council meeting on 17 October 2016.

The petition referred to the services at risk which included Job Club, Food Bank, Client Support/Advice, English and Maths Classes, activities for children and teenagers, counselling services for under 25's, support dealing with addictive behaviours, access to computers, help with IT and social activities.

As the petition had in excess of 750 signatures it was entitled to a debate at Council

Councillor Colin Hay presented the petition as the petition organiser. He advised that he had chaired a recent meeting of stakeholders which had raised a number of issues with regard to keeping the Oakley centre open and the options going forward. Concerns had been expressed about the impact of cuts in police budgets and the cuts in the universal youth services provided by the county council. The outcomes had been a rise in antisocial behaviour. It was essential that the Cabinet ring fenced any funding which would have gone previously to the Neighbourhood Project in order that the essential work for all parts of the community could be continued.

In the absence of the Cabinet Member, the Leader responded on behalf of the Cabinet. He confirmed that a temporary caretaker manager had been put in place until the end of March to ensure the centre could stay open. The council were maintaining as many services as practical and he thanked CBH for their contribution and Councillor Hay for chairing the stakeholder meeting. He agreed that cuts by the police and in youth services had had a knock-on effect. Cabinet

were committed to maintaining the level of grant previously given to the neighbourhood project and would use this to lever in other resources wherever possible. A report would be coming back to Council in February. He referred Members to the recommendations in the report which had been circulated.

A number of Members spoke in support of the recommendations and cited examples such as the Aston project where early interventions with young people could have a very positive effect and save costs in the long run. Springbank was cited as another example where a reduction in police presence had raised public concern and there had been an increase in antisocial behaviour. Councillor Baker, as chairman of the Cheltenham Football Club, thought the council must do everything it can to help poorer families at a local level and he offered the help of the club in supporting local activities where they could. A Member suggested that other neighbourhood groups were worried because of the situation at Oakley and would welcome reassurance that these groups are sustainable going forward. They suggested that knock-on effects from the reductions in youth services should be scrutinised. Another Member felt that teenagers were the big challenge as this council were not in a position to fund youth work.

Members emphasised the importance of community events in promoting community cohesion. Councillor Rowena Hay, as the ward Member for Oakley, said that many social activities had been organised which had been very well attended and involved whole families. These events also provided a valuable information gathering opportunity where residents who would not normally respond to consultations could give their views in a more comfortable community setting.

Councillor Colin Hay thanked Members for their responses and upon a vote the recommendations were agreed unanimously.

**RESOLVED that the outcomes of work undertaken to date in connection with the petition be noted and a further update to come back to the next Council meeting in February 2017.**

**9. HOUSING REVENUE ACCOUNT NEW BUILD-GARAGE SITE REDEVELOPMENTS AND THE USE OF RIGHT TO BUY RECEIPTS**

The Cabinet Member Housing introduced the report and explained that in March 2015 Cabinet resolved that the authority sought bids from contractors to build new homes across Cheltenham on a number of garage sites. He emphasised that since the council had started new build some 170 homes had been built under different ownership models. This report sought approval to enter into a JCT Design and Build Contract with J Harper and Sons with Total Scheme Costs not to exceed £1, 772, 000. The scheme would deliver up to twelve new homes on three HRA garage sites providing up to 12 homes comprising a range of house types as follows : 6 x 3 bed 5 person dwellings; 2 x 2 bed 3 person flats and 4 x 1 bed 2 person flats. Planning permission was granted for the redevelopment of the sites on 21 July 2016. The likely start date on site would be April 2017 with completion anticipated by summer 2018.

The Cabinet Member wished to put on record his thanks to all those who had been involved in developing these complex brownfield sites including Cheltenham Borough Homes and Onelegal.

Members welcomed the report and were encouraged by the proposed development. They made the following comments :

- This was an excellent use of derelict, brownfield sites and of Right to Buy receipts providing valuable social housing.
- The quality of build to date had been of a very high standard.
- Consultation in some areas had not been as thorough as expected so in some cases support from neighbouring residents was lacking. However, in other areas consultation had been second to none with regular letter drops, public meetings, meetings with the site officer and consultation with ward Members. The Cabinet Member Housing undertook to follow up with CBH where consultation had been perceived to be poor.
- It was asked whether the council could take such developments further in terms of encouraging private owners of derelict sites to sell their property to Cheltenham Borough Homes rather than be faced with enforcement and the land attractive to anti social behaviour and flytipping. This would also make a contribution to housing people. In response the Cabinet Member Housing explained that there was a funding cap imposed on the authority by central government which did not provide the council with much leeway in purchasing properties on the open market.

#### **RESOLVED (unanimously) THAT**

- 1. Up to £1,772,000 be allocated for the construction of up to twelve new dwellings.**
- 2. It be noted that the Total Scheme Costs of £1,772,000 (broken down in further detail in exempt Appendix 3) will be funded by circa £531,000 of RTB receipts with the balance funded by the most appropriate combination of the other funding streams noted within the report – this decision being delegated to the Section 151 Officer in accordance with Financial Rules B7 and B8.**
- 3. The Authority source loan finance of up to £1,200,000 from the Public Works Loan Board to be used for the construction of twelve new dwellings.**

#### **10. WASTE AND RECYCLING SERVICE REDESIGN AND ROUTE OPTIMISATION**

The Cabinet Member Clean and Green Environment introduced the report and wished to put on record his thanks to officers, the Joint Waste team, Ubico and the South Somerset waste partnership for their input in the work which had been undertaken to assess and shortlist the waste and recycling service options available and the consultation work completed to gauge residents support. He also thanked Members for their support in promoting the consultation and the public for responding in such high numbers. He believed that the proposed solution in purchasing new vehicles replacing those approaching the end of their usable life, would provide another opportunity to improve services.



The Cabinet Member said that the key messages received from residents from the consultations were as follows :

- Members of the public were broadly satisfied with the service; they liked recycling and were keen to do more. This was why it was now being proposed to include mixed plastics and heavy cardboard.
- The majority of residents (60%) who responded to the consultation favoured option 2a as being the preferred waste and recycling service option for Cheltenham. This was weekly food collection, with fortnightly chargeable garden waste, fortnightly refuse and with the addition of brown corrugated cardboard and plastic pots, tubs and trays.

In terms of route utilisation the Cabinet Member stated that there had been a number of large scale property developments during the last 5 years which had increased the total property numbers and diluted the efficiency of the collection service. With more developments to come, a routes optimisation exercise would have to be undertaken. With the arrival of the new vehicles and new materials to be recycled this would make the service more efficient and more reliable. He would be requesting the support of Members in informing residents of the necessary changes to the collection day which would be inevitable once the routes were defined.

The Cabinet Member informed Council that Cabinet had agreed to set up a Cabinet Member Working Group to oversee the next phase of the project. A cross party sounding board was in his view essential in moving forward. He then informed Members that if approved today the first part of ordering the new vehicles would be completed as a matter of urgency before Christmas.

The following questions were raised by Members and responses given by the Cabinet Member :

- When asked what further investigations had been done to include more recycling in the future given the new vehicle fleet, the Cabinet Member stated that recycling boxes would be retained and cost would be carefully monitored. It was hoped that textile recycling could be included in the future, this will be costly but was high on the agenda. There was a clear desire to recycle a wider range of materials.
- Capability of the new fleet to go down narrow streets - acknowledging the difficulty of certain streets in the borough, the Cabinet Member confirmed that there would be a mixed range of vehicles in the new fleet. It was also hoped that there would be a sufficient number of spare vehicles. He also advised that the Joint Waste Team was working with Highways to discuss instances where for example the vehicles could stop to collect on double yellow lines.
- Houses of Multiple Occupation in terraced areas/flats where it was difficult to get recycling right - the Cabinet Member stated that this was the second phase of the project but work was ongoing in terms of identifying the range of material. Where Houses of Multiple Occupancy (HMOs)/CBH flats were not presenting waste properly the aim was to put an incentive in place to present it in the right way. It was important that those in HMOS received the right information, and assistance from CBH and landlords was required to see how the good work already being done could be extended.

- Technology on vehicles (cameras) it was recognised that real time information coming back to customer services was very useful and the question was raised as to whether the new vehicles would incorporate such or even more advanced technology. The Cabinet Member confirmed that cameras would still be on vehicles and stated that it was a rare event that operatives were acting incorrectly but less rare was when motorists drove round closely to vehicles and/or mounted pavements. The cameras would assist in helping with that and the compensation claims Ubico faced.
- Recycling of tetrapaks – this was being kept under constant review acknowledging that there was only one site in the town which could be used for this purpose. He emphasised the cost of recycling tetrapaks as they consisted of 4 different materials. To make it cost effective volumes would therefore have to increase.
- Retaining the current recycling boxes would provide flexibility in terms of what materials could be collected and what materials could be collected in future.
- Clearing up recycling spillages on to the roadside after collection - the Cabinet Member emphasised that box lids and litter on the street after collections was not always down to the operative. He hoped that recycling rates would increase so that more boxes could be ordered and he also hoped that as part of the service redesign lids alone could be ordered so replacements could be issued where they had been lost or damaged. He highlighted that the new vehicles would make it easier for operatives to collect from boxes and said that they also contained the waste much better than the existing fleet.
- Black plastic – this was very difficult to recycle and it would be kept under review as to whether this could be collected in the future.
- Ubiquitous sensors on vehicles could detect potholes-opportunity to work with a company to help prevent road defects-Cabinet Member said that the council would work with the Joint Waste Committee and Ubico to see what technology could be bolted on to the vehicles; this would be investigated further.
- The new vehicle fleet would be diesel, electric technology was not yet available.
- A request was made to improve the appearance and maintenance of recycling skips in Bath Road.
- Volunteers to promote recycling among neighbourhoods would be welcomed.
- Cllr Babbage was nominated as the Conservative member of the Cabinet Member working group

The Cabinet Member Clean and Green Environment commended Ubico staff for the fantastic job they did for the town which was reflected in the high satisfaction levels in the service. He welcomed the fact that most people wanted the opportunity to recycle more and to that end was pleased that cardboard and plastics could now be included. He highlighted that this quarter, 50 % of total waste had been recycled. He said that the door was now closed on having a commingled service as a result of the consultation but acknowledged that the council had a duty to provide the best possible solution to residents.

Finally, he requested support for the second phase of the service redesign in terms of route reutilisation and he would be seeking Members' support in promoting the service.

**RESOLVED (unanimously)**

**To approve the finances to support option 2a, and following the necessary tender process, an order be placed for new recycling collection vehicles.**

**11. TREASURY MID-TERM REPORT 2016/17**

The Cabinet Member Finance introduced the report and reminded Members that the council operated a balanced budget. She explained that part of the treasury management operation ensured that the cash flow was adequately planned with surplus monies invested in low risk counterparties, another important function was the funding of the capital plans assessing and ensuring that the borrowing needs can be met in order to fund the capital programme. The treasury advisers had set out an economic update for the first six months as outlined in paragraphs 2.1 to 2.6 of the report. The Cabinet Member wished to thank officers and Capita, the council's treasury advisers, and was pleased to report that the outturn position for 2016/17 was anticipated to be above budget.

**RESOLVED (unanimously)**

**To note the contents of the summary report of the treasury management activity during the first six months of 2016/17.**

**12. COUNCIL TAX SUPPORT SCHEME 2017/18**

The Cabinet Member Finance introduced the report and explained that up to April 2013 council tax benefit was fully funded by government. In April that year government provided the council with 90 % but the council maintained the full 100 % funding with the 10 % shortfall funded by reducing council tax benefits on empty properties.

She went on to explain that in 2014/15 government stopped separately identifying their contribution and left it to local authorities to continue or not. She was pleased to say that this council had continued to support those residents that were on low working incomes or retired on low pensions. She reported that up until September 2016 there were 4211 working age and 2710 pension age customers helped by this scheme.

The Cabinet Member stated that the majority of welfare cuts since 2013 had been targeted at the working age group. Changes to the universal credit go live date had been pushed back to 2018 for all new claims and the new benefit cap for single people for couples and lone parents came into effect on 7 November and a limit on child premiums would come into effect in April 2017.

She reported that a cut to the maximum award was considered but for the reasons outlined above she requested that the council continued to support the scheme at 100 % for 2017/18 as per the recommendations.

Members were pleased that the council was in a position to continue to support this particular group of people as many other authorities had not taken the same decision and the council's approach was deemed to be 'morally right' at this time in the light of a tightened benefit cap and the introduction of universal credit. The people affected were finding it very difficult to make ends meet and a cut would be particularly punitive.

**RESOLVED (unanimously) THAT**

**the working age council tax support scheme remain unchanged for 2017/18, other than any annual uprating of premiums, allowances and non-dependant deductions.**

**13. INVESTMENT PROPERTY PORTFOLIO**

The Cabinet Member Finance introduced the report which set out proposals to increase investment in property in response to the financial pressures to increase revenue and to stimulate and encourage business growth and sustainable development by investing in sites for economic and regeneration purposes.

She reported that an initial allocation of £10 million in the Capital Programme was proposed for approval by Council and the report detailed the criteria for investment, the typical options available, the governance, and the available options for financing. The report also outlined the decision making process which utilized the Property Acquisition Assessment Group

The Cabinet Member informed Members that the Asset Management Working Group (AMWG) had considered this report and gave their support. Should the report be approved by Council the group would have a key role to play on any acquisitions proposed prior to any formal decisions as set out in appendix 2 of the report.

The Council had aspirations to grow its already successful investment property portfolio with a view to generating much needed revenue support as set out in 4a of the approved Medium Term Financial Strategy.

Cheltenham was uniquely placed to grow, sustaining and growing Cheltenham's economic and cultural vitality was one of the key outcomes set out in the Corporate Strategy. The property investment strategy would aim to support this by focusing initially on investments within or in close proximity to the Borough of Cheltenham which would help secure existing or increase business rates income.

The following questions/points were raised by Members and responses given by the Cabinet Member :

- The Cabinet Member confirmed that there would be meaningful consultation with the Property Acquisition Assessment Group and Group Leaders and Asset Management Working Group. She highlighted that purchases over £5m would, in any event, be subject to Council approval. Cabinet could currently purchase property at up to £0.5 million.

- When asked if there were any other examples of other authorities pursuing property investments the Cabinet Member referred to an officer visit to Eastleigh Borough Council. She also made reference to the council's long standing investment in Regent Arcade

In the debate that ensued Members made the following comments :

- They supported the proposals believing it was a good way to future proof income providing that such investments were sound.
- A Member believed it was important to be clear why it would be purchasing a particular property, separating operational property from investment property. It should also be prepared to act as ruthlessly as the private sector.
- It was important that the decision making process was robust and notice was given in advance.
- There could be scope for using the "overview" function of Overview and Scrutiny more as this had often been overlooked. The Cabinet Member Finance said that in most cases it would be necessary to act quickly and with the associated commercial sensitivities.
- Members recognised the decline in investment income which had dropped dramatically with low interest rates. Having all the available information in terms of clear facts and figures was essential before any potential purchase.
- There may be more opportunity from the purchase, including collective use so the rules on investment should not be too tight.
- The role of housing on brownfield sites was highlighted. There was a value in investing in property which provided necessary accommodation for people in the town.
- It was important to acquire the right sort of commercial property which could provide the council with an important revenue stream. It was also important to consider the property portfolio and funds were available to kick start innovative projects to support companies were a resounding success

**RESOLVED (unanimously) THAT**

- 1. £1 million from unapplied capital receipts be allocated to pump-prime a property investment fund, supplemented by £9m of prudential borrowing, (i.e. total allocation of £10m) subject to**

**using the option appraisal process at Appendix 2 and the criteria as set out in para 6.1 of this report.**

- 2. £200k from unapplied capital receipts be allocated to fund external advisers and pre-acquisition costs.**
- 3. A minimum of 50% of all future asset disposal proceeds be ring-fenced to enhance the Council's land and asset portfolio.**
- 4. Cabinet, in consultation with the Asset Management Working Group and the Chairman of Overview and Scrutiny Committee, be authorised to approve investments in commercial property up to £5m per transaction.**

#### **14. REPORT OF THE INDEPENDENT REMUNERATION PANEL**

The Democratic Services Manager introduced the report of the panel. She explained that the panel had not carried out a full review this year but had been convened to consider recommendations arising from the review by internal audit and the level of increase of allowances for April 2017 onwards. In particular the IRP had noted Council's ongoing preference to link any future increases to the local government pay settlement and were happy if Council wanted to adopt this alternative index in the future. On that basis the panel were proposing a 1% increase to the Basic Allowance, SRAs and the civic allowances and the recommendations were set out in the report.

The Council was required to consider the recommendations and if acceptable to resolve to adopt them. If the Council were to reject the recommendations, the current scheme would remain in place.

The Leader thanked the IRP for their report and proposed to accept the recommendations. Although he understood the panel's rationale for originally linking the basic allowance to the average earnings figure in the South West, he felt the link to staff pay rises was appropriate as he would never be in a position to support a recommendation which gave an increase to Members higher than that proposed for staff. It was important to maintain the value of the Members Allowances so that people would continue to be willing to stand for Councillor and take on additional responsibilities and therefore he supported the recommendations in the report.

In response to a question, the Democratic Services Manager confirmed that one member was currently not taking their full allowance and if any Member wished to not receive any increase they could notify Democratic Services who would advise payroll to make the necessary adjustment.

A Member spoke in support of the recommendations and felt that Members were in a difficult position when supporting recommendations of the panel and aligning it to the officers' pay settlement was the least worst option. He reminded Members that if they did not want to take all of their allowance they could donate some of their allowance to the Mayor's charities or a charity of their choice under the Give as you Earn scheme.

Other Members spoke in support of the proposals and felt it was the most cost effective way in the light of the tough budgetary decisions facing the council.

Upon a vote the recommendations were carried  
Voting For:30 with 3 abstentions

**RESOLVED (unanimously) THAT**

- 1. the Basic Allowance payable to all Councillors be increased by 1% from April 2017 in line with the proposed increase to staff.**
- 2. the level of all SRAs be increased by 1%.**
- 3. the allowances for Mayor and Deputy Mayor are increased by 1%**
- 4. the revised Members Allowance Scheme as set out in Appendix 1 of the IRP report be adopted including the change to future indexation**
- 5. it be noted that the next full review required by legislation will start in September 2018 reporting to Council in December 2018 with an intervening review each September as detailed in the scheme.**
- 6. The Democratic Services Manager be authorised to implement any necessary changes to the scheme of allowances and make any necessary changes to the Council's constitution.**

**15. LICENSING CODE OF CONDUCT (PROBITY IN LICENSING)**

The Cabinet Member Corporate Services introduced the report. From his experience as the previous chair of the Licensing Committee there were many areas of potential conflicts of interest for Members in the area of Licensing and this document provided valuable advice and guidance.

Councillor Wendy Flynn as the current chair of Licensing Committee advised that there had been no major changes to the document but it had been tidied up in some areas and she was happy to recommend it to Council.

Upon a vote it

**RESOLVED (unanimously) THAT the revised Licensing Code of Conduct (Probity in Licensing) attached at Appendix 1 be adopted to be included as Part 5E of the Council's Constitution.**

**16. AGREEMENT TO LOAN TO SUPPORT THE CONSTRUCTION OF AN ANNEX AT ST. MARGARET'S HALL**

The Cabinet Member Finance introduced the item and reminded Members that in July this year Council considered a report requesting an in principle loan of £50k to assist St Margaret's Hall user group to build a new annexe which was agreed subject to the user group securing all the necessary funds to cover the cost of the whole scheme. She reported that the user group had now confirmed

that they had all the funds in place as set out in section 4 and thus had met the requirement 3. The Cabinet Member explained that the proposed loan would be an annuity loan, for a term of 15 years and at an interest rate of 3 % per annum. Capital and interest would be repayable every six months as part of the loan agreement.

Members supported the proposal and highlighted the vital service the Hall provided to people of the area. The loan would address the capacity issues the Hall was facing.

**RESOLVED (unanimously) THAT**

**an unsecured loan of £50,000 be authorised to St. Margaret's Hall Users Group for the purposes of enabling the construction of the proposed annex upon terms and conditions as the Director of Resources considers reasonable, and to authorise the Borough Solicitor to conclude such documents as she considers necessary or desirable to protect the Council's position.**

**17. NOTICES OF MOTION**

**Motion A: Public participation in Council**

Proposed by Councillor Louis Savage

Seconded by Councillor Diggory Seacome

*"This Council seeks to be as open, accessible and accountable as possible to the people of Cheltenham. It aims to actively promote public participation in future council meetings, including facilitating attendance in the public gallery, and receiving questions and petitions from members of the public.*

*Council will:*

*-Ensure members of the public receive answers to questions 1 working day prior to Council meetings*

*-Record the number of members of the public present during council meetings, and include this in the minutes*

*-Ensure available Multimedia is utilised effectively in Full Council to ensure proceedings and discussions are accessible and intelligible to people in the public gallery"*

In proposing the motion, Councillor Savage suggested that questioners currently had limited time to digest the answers given and to prepare their supplementary questions which in practice had the most clout. He was keen to use the full range of multimedia facilities and cited the Planning Committee as a good example of where they were used to help explain aspects of the meeting to people in the chamber and in the public gallery. He was aware that some items in Council could be quite dry or difficult to follow in terms of the procedures and he felt the use of the OHP could help people to keep up.

The Cabinet Member Corporate Services, Councillor Whyborn welcomed the motion and was keen to reply positively to it. He supported the need for more



openness in politics and he referred to the Mayor's earlier proposals for improving the process of public and Member questions.

He proposed the following amendment which was seconded by Councillor McKinlay.

Delete all and replace by:-

*"This Council seeks to be as open, accessible and accountable as possible to the people of Cheltenham. It aims to actively promote public participation in future council meetings, including facilitating attendance in the public gallery, and receiving questions and petitions from members of the public.*

*Council will:*

*-Continue to ensure members of the public receive answers to questions during the morning prior to Council meetings, with the aim to reply by 10 am prior to a 2:30 pm meeting.*

*-Maintain adequate paperwork to the public gallery to meet anticipated attendance.*

*-Explore the costs and practicalities to use Multimedia effectively in Full Council to enhance accessibility of the meetings to both the public gallery and beyond. "*

In proposing the amendment, he said it was not practical for the deadline for responses to be brought back by 24 hours. The timeline for preparing responses had already been reduced by 24 hours in 2012 in order to give the public and Members more time to prepare their questions after the publication of the agenda and he did not want to reverse that decision. The proposal to have questions available by 10 a.m. on the day of the meeting should give more than enough time to clarify any issues with the responses given. The aim was not an opportunity to prepare a particular difficult supplementary question.

He saw no added value in counting the number of people in the public gallery.

He felt that there was a particular problem with Members having to stand to speak and in order to demonstrate this and with the Mayors indulgence he sat down for the rest of his speech. He was keen to progress the use of multimedia and he advised members that in June this year a company called public I had attended to give a presentation on web casting facilities. There was a significant cost involved typically £12-14 K per annum and significant setup costs. He had requested officers to investigate whether any cheaper alternatives were available. He advised that he had sat up in the public gallery for the presentation before Council and he had been able to hear very clearly.

In a point of order Councillor Babbage questioned whether the amendment reversed the original motion and therefore was invalid.

The Head of Legal Services advised that he was satisfied that the amendments satisfy the terms of the constitution set out in the Council Procedure rules in 13.12 of the Constitution.

The Mayor advised that during her Term of Office she preferred Members to stand up as a mark of respect for herself as Mayor, the Mace and the Queen.

In seconding the motion Councillor McKinlay didn't disagree with the aim to make the Council meeting more accessible to the public, but pointed out that people tended to come when there was an issue they were deeply concerned about. Although bringing forward the deadline for responses by 24 hours may at first sound reasonable it was impractical. Some of the questions were very technical and needed input from officers and the Cabinet Members needed to ensure all the answers were coherent. The risk was if the preparation time was shortened that Members or the public would then get holding responses rather than the full technical answer they were looking for. The options for using multimedia was something that could be looked at more closely.

Other Cabinet Members supported the current timescales regarding questions citing the need to properly research the answers. It was highlighted that in other councils Members asking supplementary questions were frequently provided with a holding response promising a written reply which was something this council wanted to avoid.

Councillor Savage as the proposer of the original motion accepted the amendment and therefore this became the substantive motion.

A Member was concerned that at the last meeting the public did not get proper answers to their questions and if they asked their question again they would lose their right to a supplementary. He suggested there should be a mechanism for questioners going back to the Cabinet Member before the meeting if they felt their question had not been answered so that they would still have an opportunity to ask a supplementary question at the meeting.

Several Members referred to the incidents at the last meeting during public and member questions. One Member suggested that it must be impressed upon members of the public in the gallery that they were not allowed to participate in the meeting. It was noted that there was a hearing loop which worked very effectively both in the chamber and in the gallery for those who are hard of hearing. Another Member highlighted that generally the public come to Council meetings when they felt passionate about a particular issue. In this case it was more appropriate to control any interruptions rather than seek to stop them entirely. It was also important for Members to respect each other and the process for questions and keep their supplementary questions and the responses concise.

Several Members referred to the practical issues arising from standing up to speak and Members of the public attending previous meetings had indicated that they could not hear clearly in the gallery. Whilst respecting the current Mayor's preference for standing there was a suggestion from a Member that there could be a trial at a future meeting where standing orders could be suspended to allow Members to remain seated whilst addressing the Council. If this made it easier for the public to hear that should be a priority. There was also no requirement to stand up at other meetings such as Planning and Licensing committees. A former Mayor advised Members that when he had first been on the council 40 years ago, there were no microphones and Members had to use their voice and learn how to project it. He suggested that this could be an area of further training for Members. Other Members had referred to sitting down to speak in other committees but he pointed out that the mace was not present at those meetings and he personally would feel uncomfortable in

changing the current tradition for Council.

A member suggested that the current sound system in the chamber had become an embarrassment and the system was not fit for purpose. He urged that when the council move to a new building the optimum use of new technology was made when considering the facilities available. It was suggested that a Cabinet Member Working group could be set up to meet on an annual basis to review the progress in technology and how it can be utilised at council meetings.

Members welcomed the use of OHP and felt the introduction at this particular meeting had been useful. Webcasting was also being used very successfully in other councils and at GCC. A Member thought that if introduced it should be used consistently across all committees and would provide a permanent record of the exact words that had been said so that Members could be held to account.

The proposer Councillor Savage thanked Members for a very interesting debate and he hoped that the council would now be able to enact some simple cost neutral measures to improve public participation in the meeting.

Upon a vote on the motion as amended was carried unanimously.

The Mayor announced that the Council meeting had now been in session for four hours and upon a show of hands Members indicated that the meeting should continue.

### **Motion B – Remembering Srebrenica**

Proposed by: Councillor Colin Hay

Seconded by: Councillor Paul McCloskey

*“This Council:*

- *Notes that 2016 is the twenty-first anniversary of the Srebrenica genocide in Bosnia and Herzegovina, which saw over 8,000 Muslim men and boys killed by Serbian nationalist forces.*
- *Notes that in 2009 the European Parliament passed a resolution that 11 July should be recognised as the day of commemoration of the Srebrenica genocide all over the EU; and in 2015 urged the development of educational and cultural programmes that promote an understanding of the causes of such atrocities and raise awareness about the need to nurture peace and to promote human rights and interreligious tolerance.*
- *Applauds the work of those involved in the pursuit of justice for the victims and their surviving relatives, including the International Commission of Missing People (ICMP) and the Mothers of Srebrenica, whose courage and humility in the face of unthinkable horror is an inspiration to us all.*
- *Commends the work of the charity, Remembering Srebrenica, in raising awareness of this tragic and preventable genocide and working in communities across Britain to help them learn the lessons of Srebrenica.*

*The Council resolves to:*

- *Support Srebrenica memorial events in July each year in Cheltenham as part of the UK-wide Remembering Srebrenica Memorial Week.*
- *Support the work of Remembering Srebrenica in communities across in Cheltenham Borough Council to learn the lessons from Srebrenica to tackle hatred and intolerance to help build a better, safer and more cohesive society for everyone. “*

In proposing the motion, Councillor Hay explained that he had been part of a delegation visiting Bosnia where he had been made very aware of the impact of the genocide that had taken place and he had been very moved by what he had seen.

He concluded that following on from the council motion it was important to understand the classifications of genocide and hate crime must not go unchallenged. He asked for Members support in the remembrance events and in learning lessons from the atrocities that had happened.

Members all spoke in support of the motion. They had hoped that genocide had been consigned to the history books after the second world war but clearly it was still happening 21 years ago and is still happening today. A Member suggested that Europeans were quick to remember but too slow to act and they must be able to take steps to stop these atrocities happening - mass graves were being discovered in Syria at this moment. The ten steps to genocide were important and people should question themselves as to whether they may be taking the first step in terms of how they refer to people of different ethnicities. The media also had a part to play in how they reported hate crime and the Member challenged the local media to publish these 10 steps. It was important that this history was taught in schools and should be remembered.

In seconding the motion, Councillor McCloskey saw this as an opportunity for people to make a commitment that they did not want this to happen again. It was not just about Members supporting the commemorative events but asking them to interact with their communities. He had personal experience of meeting refugees and hearing their personal accounts had been very moving. He finished by referring to Martin Niemöller, a prominent Protestant pastor who emerged as an outspoken public foe of Adolf Hitler and spent the last seven years of Nazi rule in concentration camps.

He is perhaps best remembered for the quotation:

First they came for the Socialists, and I did not speak out—  
Because I was not a Socialist.  
Then they came for the Trade Unionists, and I did not speak out—  
Because I was not a Trade Unionist.  
Then they came for the Jews, and I did not speak out—  
Because I was not a Jew.  
Then they came for me—and there was no one left to speak for me.

In his summing up Councillor Hay thanked Members for their support. He agreed that the United Nations and Europe had let down these nations and their mandate was very much restricted. Genocide was still happening now and he was not seeing the international response he would have liked and politicians at a national level needed to understand the level of public feeling.

Upon a vote on the motion was carried unanimously.

**18. TO RECEIVE PETITIONS**

There were no petitions received.

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

There were no urgent items.

Chris Ryder  
**Chairman**

