

Council
19 June 2017

Member Questions (6 total)

1.	Question from Councillor Willingham to the Leader, Councillor Steve Jordan
	In light of the recent tragic events in London and Europe where vehicles have been used to attack innocent pedestrians, and recognising that it is not appropriate to disclose what is being done, could the Leader of the Council please confirm whether this Council is working with partners, including, but not limited to, Gloucestershire Police and Gloucestershire County Council, to ensure that unauthorised vehicles are denied access to the pedestrianised areas of our town centre, that measures are being considered to harden the town centre and other vulnerable areas against similar attacks, and that where possible measures will be implemented in a fashion that is sympathetic to the surrounding architecture and existing streetscene?
	Response from Cabinet Member
	While Gloucestershire Highways would lead on any infrastructure changes to the town centre, this issue will be looked at a part of the current design of improvements to the High Street. In addition Councillor Andrew McKinlay is leading a review of town centre security issues. The £250k rollout of upgraded CCTV equipment will also commence shortly.
2.	Question from Councillor Willingham to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	Within the Borough, there are locations, including some in the ward I represent, where operational Network Rail land is substantially defaced by litter, and despite having reported these issues to Network Rail on multiple occasions, and after many months of waiting, nothing appears to have been done by them to clear this litter. Would the Cabinet Member please ask Officers to work with ward members who have Network Rail litter-hotspots in the wards they represent, to identify the offending locations with the aim of issuing a litter abatement notice (under s92 of the Environmental Protection Act 1990) against Network Rail, requiring them to both clear the existing litter and also keep those litter-hotspots clear of litter in the future?
	Response from Cabinet Member
	<p>The Environment division's enforcement team has actively pursued Network Rail (NR) in response to complaints about the condition of the parcel of land at the Cheltenham Spa Station end of the Honeybourne Line. As a result of this action, the land was fully cleared in October last year. However, this anti-social behaviour-related problem, which has been fully reported to NR, appears to be recurring and is one which clearly needs to be addressed again.</p> <p>Officers will work with ward members to identify those areas where there are repeat problems with litter, to identify the most appropriate means of escalating these issues to secure action by Network Rail. In addition, we will seek action to try and identify the perpetrators, to help prevent the issue at source. This may involve the use of available statutory powers, or representations to the regulator to secure effective action by Network Rail and the Transport Police as appropriate.</p>

3.	Question from Councillor Willingham to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	At the Cheltenham Spa Station end of the Honeybourne Line, there is a parcel of secluded non-operational Network Rail land, hidden behind advertising billboards; this regularly attracts anti-social behaviour, which based upon the items found on the site, such as needles, syringes, empty cans of high-strength alcohol, and handbags/luggage with their contents strewn across parts of this woodland, is indicative of the use of of this site for the injection of drugs and associated acquisitive crime. In light of the seeming unwillingness of Network Rail to tackle these issues, and the risk such behaviour puts on users of the Honeybourne Line and the Station, would the Cabinet Member please ask Officers to explore the powers available to this Council to try to tackle this problem or encourage Network Rail to take proper responsibility for their land?
	Response from Cabinet Member
	See answer to Question 2 above.
4.	Question from Councillor Willingham to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	On Lower Mill Street, in the ward I represent, there is a burnt-out shell of a building in a derelict and seemingly neglected scrap-yard, that currently provides a façade that would not look out of place in a dystopian post-apocalyptic horror film. This makes the area unwelcoming and attracts anti-social behaviour including fly-tipping. Would the Cabinet Member please ask Officers to explore the powers available to this Council to improve the visual amenity of this area, or to encourage the redevelopment of this site, so that this imposing scene is not inflicted on pupils and parents walking to or from Gloucester Road Primary School, and other users of the area?
	Response from Cabinet Member
	<p>The derelict building which Councillor Willingham refers to is contained within a secure scrapyards, which has planning permission for that use. By its very nature, the scrapyards does not add positively to the amenity of the area, which largely comprises industrial / commercial premises.</p> <p>Officer advice is that the derelict building does not further detract from visual amenity, given the surrounding use of land.</p> <p>Community protection officers will respond to individual cases of fly tipping, but in view of the locational context, officers believe there are no powers available to the Council that are appropriate or justifiable to use to address the condition of this land.</p> <p>Decisions about the expediency of enforcement action are a matter which Council has delegated to officers within the constitution.</p>
5.	Question from Councillor Flynn to Cabinet Member Housing, Councillor Peter Jeffries
	At its meeting on 16 th December, Cabinet rejected the West Cheltenham Forum's application for a forum and neighbourhood area based on it being made for an area which is not appropriate as a neighbourhood area because it cut across ward boundaries and included a number of separate communities, which would

	<p>reduce community cohesion.</p> <p>Can the Cabinet Member please explain to me the logic of the West Cheltenham Masterplan which seeks to treat the four wards, St Marks, Hester's Way, Springbank and St Peters, as a whole and in so doing promote community cohesion?</p>
	<p>Response from Cabinet Member</p> <p>Cheltenham Borough Homes (CBH), supported by Cheltenham Borough Council (CBC), has secured £330k funding from DCLG to explore a master-planning exercise to inform the future physical, economic and community regeneration of the West Cheltenham area. The vision is to create a key gateway into Cheltenham, promoting connectivity with new and existing development and to achieve social sustainability.</p> <p>Although the scope of the West Cheltenham master-planning exercise covers four wards (St Marks, St Peters, Hester's Way and Springbank), this description sets the broad location but not a prescriptive boundary, the project team have identified a smaller focused area as the priority for the master-planning exercise. Within this area, the stock profile consists of circa 2,400 CBC owned properties with a further circa 200 leaseholder interests. It may be that this smaller focused area changes as the master planning exercise progresses.</p> <p>The project will primarily focus on the CBC stock in this area and to explore the options to implement an ambitious programme of regeneration to transform the lives of local residents, providing housing fit for future generations and promoting community cohesion.</p>
6.	<p>Question from Councillor Flynn to Cabinet Member Development and Safety, Councillor Andrew McKinlay</p> <p>In light of the recent controversy surrounding Cabinet's decisions regarding Neighbourhood Development Plans, does the Cabinet member agree that a working group should be set up to look at how the Council should apply Neighbourhood Planning Policy in the unparished areas of Cheltenham?</p>
	<p>Response from Cabinet Member</p> <p>No I don't.</p> <p>The process by which the Council advises and assists communities in the preparation of Neighbourhood Development Plans is clearly laid out in the Localism act 2011.</p> <p>This sets out the Local Planning Authority's responsibilities including designating Neighbourhood Plan Areas by inserting provisions into the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004 and the Neighbourhood Planning (General) Regulations 2012 (as amended)</p> <p>These responsibilities are clearly laid out as is the process required for determining any application to designate a Neighbourhood plan area.</p> <p>All applications have to be assessed against the requirements of the legislation and the Councils own Neighbourhood Planning Protocol. All applicants are made aware of these requirements prior to submitting an application.</p>

	<p>The legislation requires that all applications are determined within 13 weeks of them first being publicised.</p> <p>I fail to see how an additional layer of bureaucracy will assist this process.</p> <p>It is of course open to the Overview and Scrutiny Committee to set up its own working party to look at this issue if it so wishes.</p>
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