

## Council

Monday, 24th July, 2017  
2.30 - 6.10 pm

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

## Minutes

### 1. APOLOGIES

Apologies were received from Councillors Bickerton, Flynn, Hegenbarth, Lillywhite, H McCloskey, P McCloskey and Thornton.

### 2. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 3. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 19 June were approved and signed as a correct record subject to the following change :

Agenda item 9 -the reference to "Nitrous Oxide" is amended to read Nitrogen Dioxide.

### 4. COMMUNICATIONS BY THE MAYOR

The Mayor welcomed the Mayor of Göttingen, Herr Rolf-Georg Köhler, the Deputy Mayor, Dr Thomas Häntschi and Joachim Sterr Director of Civic and International Affairs. She informed Members that yesterday she had greeted over 60 citizens from Göttingen as well as the youngsters on the sport and language programme at the Welcome Reception at Chapel Arts. She expressed her delight in having the delegation here to celebrate 66 years of twinning between the two towns.

The Mayor then highlighted some of her engagements over the past 5 weeks which included the Annual Formal Reception and Sunset Ceremony at Royal Air Force Brize Norton, a visit to the local charity Hope Support Services, which supports children and young people who have someone close to them diagnosed with a serious or terminal illness, she officially opened 25<sup>th</sup>

Montpellier Day and the Midsummer Fiesta, and attended the Cotswold Life Food and Drink Awards, and the commemoration of the centenary of the Gloster Aircraft Company at the Jet Age Museum. She reminded Members that during her Mayoral year she was focussing on the town motto, Salubritas et eruditio - health and education and to date she had received a small number of nominations for teachers and other staff to visit her in the parlour. In terms of fundraising for the Mayor's Charity Appeal she had held a fundraising lunch and the next events were a charity golf day and a special charity screening of Eddie the Eagle movie at the Playhouse Theatre. She also informed Members that Councillor Babbage, Councillor Savage and her daughter would be running the Cheltenham half marathon in aid of the mayor's charity appeal. A justgiving account had been set up for the Mayor's charity appeal at <https://www.justgiving.com/mayorofcheltenhamcharity>.

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

The Leader also welcomed the delegation from Göttingen. He reported that the council had been reawarded 5 Green Flags for its Parks and Gardens out of a total of 9 awarded across Gloucestershire. He thanked all those who had been involved in this achievement.

The Leader advised that the Joint Core Strategy (JCS) Examination in Public was now complete and a formal draft report was expected in September. He wished to put on record his thanks to all those who had contributed to the process including the public, councillors and officers and welcome the huge interest which the process had generated. The aim was to formally adopt the JCS by the end of the year.

A Member seminar had been held prior to this meeting informing Members of the changes to the recycling service. Members should direct any questions on the service to the Cabinet Member Clean and Green Environment. More detailed information would be sent to Members shortly.

The Leader then referred to the recent issue of the incident on Malmesbury Road involving boy racers. He undertook to write to the Police Commissioner pledging the support of CBC in resolving the problem.

**6. TO RECEIVE PETITIONS**

There were none.

**7. PUBLIC QUESTIONS**

<b>1.</b>	<b>Question from Bharat Gupta to the Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>
	Cheltenham Transport Plan-Boots Corner Scheme Phase 3 & 4 Councillor Andrew McKinlay of CBC is quoted as saying that the work completed so far has been successful? What was the criteria for "success" and were the residents of the area to be affected by phase 4 involved in defining the criteria of success?

	<b>Response from Cabinet Member Development and Safety</b>
	<p>The County Council (GCC) has been monitoring traffic levels on potentially affected roads, following the completion of each phase of the CTP. To date, no significant increases in traffic or pollution have been observed and this has continued to give the Council confidence in the original modelling work, which estimated the relatively low projected impacts of the scheme.</p> <p>Residents in all of the potentially affected areas were given the opportunity to input into the CTP design during the consultation phases. This included an initial consultation on the overall objectives of the scheme, as well as a detailed statutory consultation and public Traffic Regulation Committee hearing. The Council took on board the comments from these consultations and as a result, chose to implement the CTP in phases, measuring the impact of each phase before proceeding with subsequent phases.</p> <p>There is already some evidence to support the fact that the works implemented have achieved improvements to the network; increasing permeability for buses and cyclists and helping bus timetable reliability, thereby encouraging modal shift and a reduction in car journey times, particularly in accessing car parks. This in turn should make a longer term positive impact on air quality and wider environmental matters.</p> <p>In relation to the proposed works in Phase 2, our intention was to improve accessibility to the town's largest and best located car park for the retail centre, Regent Arcade. This phase has certainly reduced journey times for Regent Arcade users approaching from the south of the town centre, reducing congestion and promoting use of the car park and in turn the shopping area, whilst encouraging air quality improvements. Breaking down the long run of the one-way dual-carriageway ring road is hoped to have yielded a reduction in traffic speeds that should have a positive knock-on effect in relation to pedestrian safety.</p> <p>I understand that you may consider some of these successes subjective; that said I am satisfied that our intention to achieve long term improvements to the network are well founded and that there will be longer term reductions in pollution and positive modal travel shifts as a result.</p> <p>In a supplementary question Mr Gupta asked whether similar objectives and targets had been set on behalf of the people living in Hales Road and other affected roads in the vicinity and if so what are they?</p> <p>The Cabinet Member acknowledged that the success measures were largely objective rather than subjective however the impact of any scheme was recorded in two ways. Firstly this was assessed by traffic modelling and secondly what actually happened in practice as the scheme was implemented. To date the scheme had exceeded the success measures set in the modelling exercise. The key pollutant being measured in Cheltenham was nitrogen dioxide and readings taken at 28 key sites in November 2015 formed a baseline and details were available in the annual air quality status report. Measurements taken after the</p>

	implementation of phase 1 showed a reduction at 19 sites including the ones Mr Gupta was concerned about. These results had only arrived recently and had not been made public yet.
<b>2.</b>	<b>Question from Bharat Gupta to the Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>
	What computer projections have been carried out, based on the current air quality data, with regards to further environmental impact of re-directing the traffic from the mainly commercial area to the mainly residential area of Cheltenham?
	<b>Response from Cabinet Member Development and Safety</b>
	<p>No computer projections have been carried out using current air quality data. The environmental impact of the scheme was assessed using modelling data and this was made public during the consultation on the traffic regulation orders. The data is available on the Council's web site.</p> <p>In a supplementary question Mr Gupta asked the Cabinet Member whether the council would continue to carry out further checks during the implementation of subsequent phases and thereafter once phase 4 had been completed?</p> <p>The Cabinet Member confirmed that the council would continue to monitor on a monthly basis. All such monitoring was carried out on an average basis and did not record peaks.</p>
<b>3.</b>	<b>Question from Christine Saunders to the Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>
	What evaluation work has the council done with regards to the possible long term impact on health due to routing the traffic through the residential area. Can we see these results?
	<b>Response from Cabinet Member Development and Safety</b>
	<p>The traffic modelling data collated by GCC predicts both positive and negative impacts on volumes in differing locations across the town and this may influence the level of pollutants.</p> <p>However, there are other significant factors which will also impact on pollutant levels that are outside the direct control of either GCC or CBC. These would include traffic volume growth and technological advancements, including the likely phasing out of diesel vehicles, an increase in the proportion of electric cars and improved efficiency of petrol vehicles, including much more widespread use of stop/start technology.</p> <p>In these circumstances, modelling of theoretical health impacts based on a 'worst case scenario' which is unlikely to arise in practice, is not considered to be value for money.</p>
<b>4.</b>	<b>Question from Christine Saunders to the Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>
	Is College road likely to become a no parking zone to allow more traffic to flow through. Will this not affect the parking for the local residents of St. Lukes?

	<b>Response from Cabinet Member Development and Safety</b>
	<p>I am not aware of any current proposal to restrict on-street parking in College Road, or that this would ‘...allow more traffic to flow through’ as suggested by the questioner.</p> <p>If an unforeseen issue arises as a result of the Cheltenham Transport Plan works, this would be a matter for GCC to consider as Highways Authority, within the mitigation contingency already identified for the project, which was supplemented with £50k funding from CBC.</p>

## 8. MEMBER QUESTIONS

<b>1.</b>	<b>Question from Councillor Paul Baker to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>
	<p>I am sure we are all hugely frustrated with the appalling condition of the paved area in The Strand, running through to Cambray and the junction with Rodney Road. It is frankly a disgrace to our town and an embarrassment that one of our major shopping streets is in such an appalling condition.</p> <p>Can the Cabinet Member advise what pressure we are bringing to bear on Gloucestershire Highways to initiate a quality refurbishment of this area?</p>
	<b>Response from Cabinet Member</b>
	<p>As Cllr Baker will be aware, responsibility for the maintenance of public highways rests with Gloucestershire County Council (GCC) as the statutory Highways Authority.</p> <p>CBC promoted the need to address the problems with the condition of the High Street with the County Council, offering a contribution of £0.5 million to secure a quality upgrade of this section of the High Street, in recognition of its importance to the retail economy of the town.</p> <p>The County Council has advised that providing a high quality public realm scheme will only be possible with significant additional external contributions, as highway funding is prioritised and allocated to meet safety and maintenance needs. GCC has advised that it is unable to take the lead on this scheme, but is happy to support CBC in delivering the project under the terms of a Section 278 agreement. GCC has also confirmed a contribution of £340k and some technical resource to support the scheme. The responsibility for unforeseen costs and overspends would, however, need to be taken by CBC in these circumstances.</p> <p>Given the nature of the works and the quality that CBC would wish to achieve in this high profile location within the Central Conservation Area, there would be financial risks to CBC, particularly as the authority would need to employ external support to deliver the scheme, as it no longer has any directly employed highways personnel.</p> <p>Dialogue with GCC regarding this issue is continuing. In the meantime, the County Council has confirmed that its inspection and maintenance regime will keep the High Street in a safe condition for users.</p> <p>In a supplementary question Councillor Baker asked for an update on progress in</p>

	<p>decentralising some of the public highway's responsibilities to CBC?</p> <p>The Cabinet Member advised that the council had responded to the consultation by GCC at the start of this year along with all other district councils. The council had expressed an interest in taking over Highway Services for Cheltenham from GCC when the current contract ended. The council was still waiting a response to the offer and no decision has been made as yet.</p>
<b>2.</b>	<b>Question from Councillor Paul Baker to Cabinet Member Clean and Green Environment, Councillor Chris Coleman</b>
	<p>I have been very disappointed with the quality of weed treatment along our roads and pavements and the lack of a thorough sweep of the resultant dead debris. Does the Cabinet Member share my concerns and if so what steps are we taking to improve the position. Can I also ask if the issue is due to cut backs in the budget due to the well-known financial cuts imposed on all local authorities by Government?</p>
	<b>Response from Cabinet Member</b>
	<p>I am aware that Cllr Baker has been in correspondence with both the Director of Environment and Ubico concerning this matter, where the primary responsibility ultimately rests with GCC.</p> <p>This year, it appears that annual weed treatment with glyphosate was delayed for two weeks as a result of adverse weather conditions, which in turn led to more weed growth than normal.</p> <p>Ubico has subcontracted highway weed control to a specialist firm and this has only recently been completed. Weeds then take up to two weeks to die back and are then removed.</p> <p>GCC has confirmed that the funding provided for the Agency Agreement in Cheltenham and the weed treatment carried out as part of this, has not been reduced.</p>
<b>3.</b>	<b>Question from Councillor Paul Baker to Cabinet Member Clean and Green Environment, Councillor Chris Coleman</b>
	<p>When I walk through town in the early evening along the High Street and The Promenade I am greeted by piles of refuse and recycling left out by retailers. Often the bags are broken and rubbish spills out across the pavement, it is not acceptable, there must be a better way of working with retailers than this, would he agree?</p>
	<b>Response from Cabinet Member</b>
	<p>This is clearly an issue we can look to address with the business community through the Cheltenham Business Improvement District (BID) team.</p> <p>As Cllr Baker will appreciate, tackling this issue effectively will require co-operation from retailers and other local service providers, which is clearly in their business interests.</p> <p>The proliferation of commercial waste contractors and the range of collection days are likely to be contributing factors to the problem identified.</p>

	<p>It may be that the Cheltenham BID could negotiate a more comprehensive and cost effective arrangement for local commercial waste collections, to the benefit of both retailers and the environment of the town.</p> <p>I understand that the BID is already looking at how this might best be achieved.</p>
<b>4.</b>	<b>Question from Councillor David Willingham to the Leader, Councillor Steve Jordan</b>
	<p>On Thursday 29th June 2017, CBH organised a Moors Impact Day, which performed litter picking, helped residents remove bulky waste and had fun activities for children in Brook Road, Moors Avenue, St Peter's Square and Yarnold Terrace. CBH were joined by participants from many partner organisations, which included CBC, Ubico, Glos Pol, GFRS, GCC, the Rock, the Big Local and the PCC. Would the Leader of the Council join me in thanking everyone who participated in these activities throughout the day and helped to make this event a success?</p>
	<b>Response from Cabinet Member</b>
	<p>I would certainly thank everyone who participated in the Moors Impact Day and would take the opportunity to thank everyone who takes part in similar events in local communities across the borough.</p>
<b>5.</b>	<b>Question from Councillor Klara Sudbury to Cabinet Member Finance, Councillor Rowena Hay</b>
	<p>Cheltenham Borough Council is seeking legal advice over the liability for repairs to the footbridge over Pilley Nature Reserve (near Old Pats). I ask on behalf of one of my constituents who would like to know, how much is this legal advice costing CBC? Would the cost of Counsel be better used to repair this bridge, the closure of which is causing considerable inconvenience for many local residents.</p>
	<b>Response from Cabinet Member</b>
	<p>I fully appreciate and share your residents' frustration that this problem has been running for some considerable time. A brief overview of why may be helpful to your resident.</p> <p>The bridge known as the Pilley Footbridge was one of several bridges transferred to the Cheltenham Corporation, Cheltenham Borough Council's predecessor authority, in 1971. The Cheltenham Corporation was highway authority. The use of the Footbridge is for pedestrian access only and is designated as a Public Right of Way (PROW). The footbridge is in need of substantial repair but the County Council (which is the highway authority) takes the view that whilst it is responsible for the surface of the footpath across the footbridge, it is not responsible for the maintenance and repair of the footbridge structure itself. The Borough Council, with the benefit of counsel's advice, believes that the County Council is responsible for the footbridge structure.</p> <p>The costs of repair of the footbridge are estimated at circa £60k and the cost to replace the Bridge estimated at £100k. The Council has expended £1,145 to date in obtaining Counsels advice. If the Borough Council were to repair the footbridge before the legal principle has been determined then that would set a presumption that the Council accepted ongoing liability for this footbridge, which would have significant financial implications.</p>

	<p>It is extremely important to establish the legal principle in this case as the same repairing liability may apply to other bridges in the borough.</p> <p>I rather hope that Councillor Sudbury will ask the same question to the relevant Cabinet Member at the next County Council meeting in the hope that this can be resolved for the benefit of local residents.</p> <p>Councillor Sudbury confirmed that she had raised the matter at county council.</p>
<b>6.</b>	<b>Question from Councillor Klara Sudbury to Cabinet Member Finance, Councillor Rowena Hay</b>
	<p>Further to question 5 and on behalf of a local resident, what firm is providing Counsel's advice in relation to Pilley Bridge Nature Reserve and is there any connection between that firm and either Cheltenham Borough or Gloucestershire councils?</p>
	<b>Response from Cabinet Member</b>
	<p>The advice in this matter is being provided by experienced counsel in Bristol. I can confirm that there is no connection between counsel's chambers and the Borough, other than they were 1 of 3 chambers asked to quote for providing the legal advice in this matter. I am not aware of any connection between the chambers and the County.</p>
<b>7.</b>	<b>Question from Councillor Klara Sudbury to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>
	<p>Residents in Cheltenham Town Centre, including St Luke's, remain incredibly concerned about the potential for increased traffic congestion and pollution as a result of the Cheltenham Plan. What air pollution and traffic monitoring has taken place, is taking place now and will take place in the future given the need to fully understand the situation before and at each stage of the CTP?</p>
	<b>Response from Cabinet Member</b>
	<p>The CTP highway amendments are a key component of CBC's Air Quality Action Plan targets. (<a href="http://www.cheltenham.gov.uk/downloads/file/3780/air_quality_action_plan_2014">http://www.cheltenham.gov.uk/downloads/file/3780/air_quality_action_plan_2014</a>)</p> <p>CBC regularly monitors local air quality as part of its statutory duties. In Cheltenham, the pollutant of principal concern, nitrogen dioxide, is measured through the use of diffusion tubes which are analysed on a monthly basis. The results are collated over the course of a year and the council reports to DEFRA on an annual basis about how Cheltenham's air quality compares against national objectives.</p> <p>A baseline assessment of the pre-CTP traffic flows was collected in November 2015 at 28 sites across Cheltenham. The surveys have been repeated following the construction of each Phase of the CTP to understand if there are any noticeable effects on the efficiency of the network across the town.</p> <p>In a supplementary question Councillor Sudbury asked whether it would be possible to get peak time monitoring in place in College Road?</p>



	The Cabinet Member said it would be possible to get this information but all experts would advise that any such readings were not statistically valid and the only valid figures were appropriate averages which ironed out peaks and troughs.
<b>8.</b>	<b>Question from Councillor Klara Sudbury to the Leader, Councillor Steve Jordan</b>
	Last year's Christmas lights switch on took place on a Thursday evening, supposedly coinciding with the start of late night shopping but when only a very small handful of shops were open. The town centre was deserted and the whole event was a massive anti-climax. What is this council doing to make this year's Christmas lights switch on something the people of this town will want to come to and be proud of?
	<b>Response from Cabinet Member</b>
	<p>I think it's fair to say we were all disappointed in the Christmas lights switch on last year. In recent years the switch on event itself has been organised by the 3 main arcades (Regent, Beechwood and the Brewery). Last year 2 of the 3 were unavailable due to building works which made the switch on event difficult to organise.</p> <p>The council spends about £35k per year on the Christmas lights which in reality maintains the existing display which is owed by the council. However the creation of the BID has led to new opportunities. I have instructed officers to consider options for an improved switch on this year. A soft tendering exercise was recently undertaken with a range of illumination contractors to inform a bid for tender, this tender is currently out to the market facilitated by Cheltenham BID.</p> <p>The Cheltenham BID plays an important role in working with retailers to ensure they are engaged and actively embrace the opportunities late night shopping brings to the town, combined with Christmas lights and festive window displays. Conversations are already underway to plan for the activities for Christmas 2017.</p> <p>In a supplementary question Councillor Sudbury asked what the council could do proactively as they could not expect the businesses to do it all on their own?</p> <p>In response the Leader advised that the council was working proactively with the BID on proposals and were contributing the not insignificant sum of £35K of funding. It was appropriate for the BID to take this forward and he hoped that they would put out a contract for three years for both maintenance of existing lights and their subsequent replacement at some stage.</p>
<b>9.</b>	<b>Question from Councillor Klara Sudbury to the Leader, Councillor Steve Jordan</b>
	What investment is planned to make Cheltenham Christmas lights more joyful and colourful so that people of all generations will find spending time in our town centre magical rather than depressing?
	<b>Response from Cabinet Member</b>
	<p>Further to my response to question 8, work in regard to this is ongoing. I need to fully understand the details of any tender submission made before making commitments regarding future investment.</p> <p>In a supplementary question Councillor Sudbury asked whether there would be</p>

	<p>any interest in illuminating trees in the Promenade with fixed lights or lasers in a similar vein to what was done at Westonbirt Arboretum as it made a very impressive display?</p> <p>The Leader replied that the whole concept of going out to tender was to seek expert advice and inspiration on what was possible within the allocated budget.</p>
<b>10.</b>	<b>Question from Councillor Klara Sudbury to the Leader, Councillor Steve Jordan</b>
	<p>With Gloucestershire County Council creating a no-go for commuters in roads in and around Cheltenham, what is this council doing to ensure low paid workers who work in our town centre (and who may not be able to use other forms of transport for a variety of reasons) are not priced out of working in our town centre?</p>
	<b>Response from Cabinet Member</b>
	<p>Parking schemes that give higher priority to residents will by definition give lower priority to others such as commuters. While that is a fact of life, what I have been encouraging the County Council to do, particularly in relation to the West Cheltenham scheme, is properly communicate with local businesses whose staff may be affected. This should include fully explaining the details of the new scheme and what the alternatives are. It should cover where parking is actually available as well as public transport options. As a member of the Cheltenham BID I have supported the arrangement with Stagecoach who have offered discounts to employees of all the BID member businesses.</p>
<b>11.</b>	<b>Question from Councillor Klara Sudbury to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>
	<p>Why are the pavements in Cheltenham High Street, Promenade and Cambray Place in such dreadful repair and what can this council do to force the County Council to take its responsibility to improve them seriously?</p>
	<b>Response from Cabinet Member</b>
	<p>Please see my response to question 1. Both I and officers are actively working with Gloucestershire County Council on the important points you raise.</p> <p>In a supplementary question Councillor Sudbury asked whether the Cabinet Member could urge GCC to invest some of the income they received from on street parking in Cheltenham into much-needed improvements in this area as this seemed only fair?</p> <p>The Cabinet Member agreed that they would approach GCC about improvements alongside the work that GCC were scheduled to do around the John Lewis development. He requested Councillor Harman, as a member of the GCC Cabinet, to raise the matter with his Cabinet colleague.</p>
<b>12.</b>	<b>Question from Councillor Matt Babbage to Cabinet Member Clean and Green Environment</b>
	<p>What is the council's policy and target timescales for graffiti removal, including obscene graffiti and graffiti on private property?</p>
	<b>Response from Cabinet Member</b>
	<p>All instances of graffiti are reported through the customer service team and</p>

	<p>passed directly to Ubico. Upon receiving a report, Ubico work to a 7-day timescale to inspect and remove the graffiti from all Council responsible areas. However, in the case of obscene graffiti, this is inspected and removed immediately, even if it is on private property, as the landowner is contacted to gain agreement on the course of action to be taken, either by them or Ubico.</p> <p>In the rare event of non-co-operation by a private landowner, issues can be escalated to the enforcement team to take statutory action.</p> <p>In a supplementary question Councillor Babbage referred to a case regarding graffiti on a private property where it had taken five weeks to get it removed. He asked whether the Cabinet Member would be happy to discuss this case outside the meeting?</p> <p>The Cabinet Member suggested that Councillor Babbage e-mailed him the details and he would then investigate the delay in this case.</p>
<b>13.</b>	<b>Question from Councillor Matt Babbage to Cabinet Member Corporate Services</b>
	<p>What is the council's policy on guest speakers at council-run, subsidiary-run and other connected events, including politically connected guests and paid speakers?</p>
	<b>Response from Cabinet Member</b>
	<p>I'm not aware that the council has any specific policy to guide us in selecting guest speakers and it would be helpful to know if any particular event has triggered this line of questioning.</p> <p>What we do have are the code of conducts in relation to political neutrality: Code of Conduct for Employees 5.3 Political Neutrality - You must not allow your own personal or political opinions to interfere with your work. Council employees serve the Council as a whole and in carrying out your work you must be politically neutral, ensuring that individual rights of all elected Members are respected.</p> <p>Protocol for Member/Officer Relations 2.0 Political Neutrality 2.1 The primary responsibility of any Officer is to serve the Council as a corporate body. Where this duty conflicts with any duty to individual Members of the authority then the duty to the Council shall prevail. 2.2 Officers must act apolitically, whether or not they hold politically restricted posts, and Members must try to avoid putting Officers, whether intentionally or otherwise, in situations where their political neutrality might be compromised or appear to be compromised. This would include actions such as applying pressure on an Officer to alter the presentation or substance of their advice in reports.</p> <p>Also we have the Code of Members' Conduct 7.4 Do not use or attempt to use your position improperly to confer on or secure for yourself, or any other person, an advantage or disadvantage..... 7.10 Do make sure that Authority resources are not used improperly for political purposes (including party political purposes) 7.11 Do have regard to any applicable Local Authority Code of Publicity made</p>

	<p>under the Local Government Act 1986</p> <p>Plus we have issue specific guidance when we are in purdah: The word “publicity” has the widest possible meaning, and the restrictions apply to any public events organised or sponsored by the Council. Councillors should not use such events to publicise themselves, their parties, or the policies or candidates they support. Wherever possible it is better to avoid scheduling public events and photo opportunities during the purdah period.</p>
<b>14.</b>	<b>Question from Councillor Matt Babbage to Cabinet Member Corporate Services</b>
	How much has been paid to guest speakers at council-run, subsidiary-run and other connected events over the past 12 months?
	<b>Response from</b>
	<p>All the service managers have been requested to supply any relevant information on council-run events. Assuming training events do not count as guest speakers the only other ‘events’ in the last 12 months that they have identified are set out below though I am not sure whether I would categorise them as guest speakers:</p> <ul style="list-style-type: none"> <li>• In the course of consultancy arrangements with the council , a number of consultants have made representations to the Joint Core Strategy examination</li> <li>• Consultants have been engaged regarding Gloucestershire airport and have spoken at Member Seminars and at Council.</li> </ul>
<b>15.</b>	<b>Question from Councillor Matt Babbage to Cabinet Member Finance</b>
	How much of the £271,000 allocated to Cheltenham for 2017/18 from the Discretionary Business Rates Relief Fund has the council passed on to businesses in Cheltenham?
	<b>Response from Cabinet Member</b>
	<p>We are still working on the design of a scheme which allocates as much of this fund as possible to provide support to local businesses. Officers have liaised countywide to come up with a consistent basis for a scheme, subsequently we have then modified this to take account of the type and size of businesses in Cheltenham and to ensure that we allocate as much of the funding as possible to small local businesses.</p> <p>Whilst the Government announced its decision in the March budget there have been delays outside of our control, Government consulted then a general election, a need to wait for clarification on conditions, funding, the ability to toggle between years and last but not least clarification on funding the cost of computer system changes and administration. All of these were received by the end of June.</p> <p>We are aiming to approve this scheme at Cabinet on 12th September and issue revised bills within 2-3 weeks. Businesses likely to qualify are being identified so in some cases will automatically be granted relief and in others we will need to send application forms. Of course any that have paid in full will be reimbursed and those who pay by instalments will receive adjusted bills.</p> <p>Separate reliefs with government prescribed conditions will also be available to some pubs with large increases in bills. The computer software updates for this are expected in the next couple of weeks and will be given within two weeks after</p>

	<p>that.</p> <p>Small businesses losing some or all of their small business rates relief who qualify under the prescribed Government conditions which are funded separately by the Government will be awarded as soon as we get the necessary changes to our computer system likely to be in late August/early September.</p> <p>The singular answer to your question could have been none, however I hope that the detail given reassures Cllr Babbage that a lot of work and thought over a short time frame has been given to ensure that this authority captures the maximum number of our very important small local businesses it can, within the amount of money allocated to Cheltenham.</p>
<b>16.</b>	<b>Question from Councillor Matt Babbage to Cabinet Member Finance</b>
	What criteria are the council using to decide how to allocate the Discretionary Business Rates Relief Fund to businesses in Cheltenham?
	<b>Response from Cabinet Member</b>
	<p>Modelling is reaching the final stages but this is the criteria we have used so far.</p> <ul style="list-style-type: none"> <li>• There has been an increase in the rates bill from 1st April compared to last year as a result of the revaluation</li> <li>• The increase is more than £50 (the percentage relief level to each business has yet to be determined I am hoping this will be next week)</li> <li>• The rateable value is below £200,000</li> <li>• The property must be occupied</li> <li>• We will give relief to smaller local businesses occupying one property but will give relief where a second property is occupied provided it is within Gloucestershire.</li> </ul>

## 9. APPOINTMENT OF A MENTAL HEALTH CHAMPION

The Cabinet Member Healthy Lifestyles introduced the report and explained that in December 2015 Council resolved to sign up to the Local Authorities' Mental Health Challenge and nominated an officer (Tracy Brown) and two members (Councillors Dan Murch (Lib Dem) and Louis Savage (Conservative) to be Mental Health champions.

With the resignation of Dan Murch, there was now a vacancy for an elected Member Champion and Councillors David Willingham and Garth Barnes have put their names forward. In order that there could be balanced cross party representation it was initially proposed that one of these Members become a Member Champion with the other as a reserve. The reserve could support the Members Champion and attend a meeting in their place if necessary. However it was now proposed that both nominations be considered. The Cabinet Member also took the opportunity to thank Councillor Savage and Dan Murch for their valued contributions in this role. This was reiterated by Members and they highlighted that it was important that it remained crossparty.

It was noted that Cheltenham was the only borough in Gloucestershire which had appointed mental health champions. As Cabinet Member for Public Health

and Communities at the County Council, Councillor Harman offered to encourage other districts to follow suit. Members noted the benefits that could be derived from cross party working and this was a good example. It was important to challenge the stigma associated with mental health and CBC could act as a beacon for other councils to follow.

**RESOLVED (unanimously)**

**That Councillors Barnes and Willingham be appointed to serve as mental health champions alongside Councillor Savage.**

**10. FINANCIAL OUTTURN 2016/17 AND BUDGET MONITORING TO JUNE 2017**

The Cabinet Member Finance introduced the report which highlighted the Council's financial performance for the previous year which set out the General Fund and Housing Revenue Account (HRA) revenue and capital outturn position for 2016/17. She highlighted that it had been another challenging year.

The Cabinet Member reported that in December 2016 a possible under-spend of £110,737 had been forecast. In February 2017 Cabinet made recommendations to Council that this be transferred to the Budget support reserve which was approved and therefore formed part of the revised budget for 2016/17.

She explained that continued government funding arrangements and changes, together with the economic climate, presented ongoing concern for this council's budgets, particularly in light of the Business Rates retention bill having been dropped from the legislative plan and the uncertainty surrounding the next steps. It was important that this council looked to grow its economy at the same time as ensuring that it used under-spends to support economic growth, the budget strategy reserve and general balances, bearing in mind the Medium Term Financial Strategy.

The Cabinet Member was pleased to report that the year ended with an under-spend of £571,443 achieved through a great deal of hard work and sound financial management, by CBC officers and its partner organisations. This saving had been transferred into the Budget reserve pending decisions for its use in 2017/18 and future years.

The Cabinet Member highlighted the following :

- car parking and Cemetery & Crematorium income had increased which can now be built into the base budget with some certainty
- the business rate pool had delivered a positive variance of nearly £300K which has been transferred to the Business rates retention equalization reserve
- the housing revenue outturn statement showed a net positive variance of £691k
- additional income generated through planning amounts to £77k
- an increase on investment income from properties of £140k

The Cabinet Member informed Members that the Local Government Association undertook a peer review in April this year of the council's financial

strategy and overall the results were extremely positive with the main challenges around the use of revenue to part fund the capital programme and the use of voluntary debt repayments.

She explained that with current interest rates being low, the challenge was to model extended lending periods on major capital schemes such as the crematoria project. She went on to explain that when the Council purchased Delta Place, the Section 151 Officer determined to pay additional voluntary debt repayments of £400k per annum from the current rental stream. Whilst this was a prudent decision at the time, the short-term challenges that the Council now faced suggest that this rental stream would be better placed to support the revenue budget, which was the reason behind creating an investment portfolio.

The Cabinet Member reported that the business case for Delta Place had now been remodelled, based on revised occupancy needs. This confirmed that the rental stream previously used to finance voluntary debt repayments are now better served to support the budget proposals in 2018/19 and 2019/20, using the money now not paying off debt or cutting front line services.

The Cabinet Member proposed that any revenue savings should be used to strengthen general fund balances wherever possible and to that end she intended that the budget saving balance of £571.443 be transferred to the budget strategy reserve which would give the council more flexibility to support projects and initiatives that have the potential to deliver future savings.

In terms of carry forward of revenue expenditure she referred Members to Appendix 5 of the report.

The Cabinet Member highlighted to Members that whilst this had been a challenging year there had been some positive news:

- Enterprise Way would see the construction of three small new build commercial units generating an additional income of £45k a year to support the revenue budget
- The funding for two new changing places public conveniences had been secured and one site in Pittville Park had been identified
- Delta place was proving to be a wise investment
- The provision of purpose built homes for veterans
- The forthcoming cycling and walking festival for Cheltenham with the added value of hosting the finish on the penultimate day of the OVO Tour of Britain Cycling race

Finally the Cabinet Member wished to put on record her thanks to staff at CBC without which the delivery of services within budget or the under-spend would not have been achieved.

The following questions were raised and addressed by the relevant Cabinet Portfolio holder:

- What plans existed to move forward with the £2 million S106 monies? The Cabinet Member Development and Safety explained that officers were mindful that it only had 5 years to spend these monies. He undertook to ask officers to provide Members with a full list of projects

on which the monies were anticipated to be spend on.

- £6.8 m HRA reserve-the strategy was part of the overall 4 year plan to deal with the rent reductions
- Salary vacancy target of £375k-what assessment has been made of the impact of setting this target? -A number of these were associated with the REST restructuring; the Cabinet Member reported that a new Environmental Health Officer was being recruited and appointments were being made where there was a specific need
- Update on whether CBC was collecting the penalty payments from the owner of the North Place site-the Cabinet Member confirmed that these were not being received but there were ongoing negotiations with the developer, the details of which were confidential so he could provide more information outside the meeting. Concern was expressed with regard to the lack of progress in developing this site and a request for this item to be discussed at Group Leader's briefing was made.
- £60k underspend on car parking income-the Cabinet Member Development and Safety explained that income did fluctuate against projections and plans within the car parking strategy were completely separate and not reliant on this underspend.
- Uncertainty with regard to business rates-the Cabinet Member Finance reminded Members that from 2020 there would no longer be a Revenue Support Grant. Whilst Government wished to work with local authorities there was no means that they could plan into the future. CBC was therefore putting underspends into the budget support reserve in order to have a buffer post 2020.

In the debate that ensued the following points were made :

- A suggestion was made to the Public Art Panel that funding could be considered for public art installations which would improve air quality in the town at the same time as supporting a business start up in the town. The Cabinet Member Healthy Lifestyles requested that further details be sent to her so this could be taken forward. She also highlighted that a new public art strategy would be considered by Cabinet in September.
- A Member paid tribute to officers and the Cabinet for making prudent investments and decisions, including in Delta Place, which had enabled the underspend this year.
- Members again expressed their concern that the future for business rates had been left out of the legislative programme.
- The Cabinet Member Corporate Services informed Members that a working group to look into the sound system in the chamber would be set up.

## **RESOLVED (unanimously) THAT**

**1. the financial outturn performance position for the General Fund, summarised at Appendix 2 be received, and that it be noted that services have been delivered within the revised budget for 2016/17 resulting in a saving (after carry forward requests) of £571,443.**



- 2. £80,000 of carry forward requests (requiring member approval) at Appendix 5 be approved.**
- 3. the use of the budget saving of £571,443 as detailed in Section 3 be approved.**
- 4. the suspension of voluntary debt repayments to support existing commitments and future budget proposals as detailed in Section 3 be approved.**
- 5. the annual treasury management report at Appendix 7 be noted and that the actual 2016/17 prudential and treasury indicators be approved.**
- 6. Investments in corporate bonds in respect of Green Investment Bonds increased to a maximum of 5 years with a monetary value limit of £2m as detailed in Section 5 be approved.**
- 7. the capital programme outturn position as detailed in Appendix 8 be noted and the carry forward of unspent budgets into 2017/18 (section 7) be approved.**
- 8. the position in respect of Section 106 agreements and partnership funding agreements at Appendix 9 (section 9) be noted.**
- 9. the outturn position in respect of collection rates for council tax and non-domestic rates for 2016/17 in Appendix 10 (section 10) be noted.**
- 10. the outturn position in respect of collection rates for sundry debts for 2016/17 in Appendix 11 (section 11) be noted.**
- 11. the financial outturn performance position for the Housing Revenue Account for 2016/17 in Appendices 12 to 13 be received and that the carry forward of unspent budgets into 2017/18 (section 12) be approved.**
- 12. the budget monitoring position to the end of June 2017 (section 13) be noted.**

## **11. COMMUNITY GOVERNANCE REVIEW**

The Leader introduced the report and explained that a cross party working group had been set up to oversee a community governance review prompted by the receipt of a valid petition from Pittville Parish Council Campaign Group for the creation of a new parish council. The terms of reference were agreed by Council on 27 March 2017.

He thanked the working group which had met three times and had:

- Considered the proposed boundary provided by the Pittville Parish Council Campaign Group.
- Considered proposals from three of the existing parish councils about consulting on extensions to their current boundaries as part of this review, plus the anomaly areas in Merestones Drive and St Nicholas Drive.

- Planned the consultation phase for the review and a process for determining what the result was from the responses received.

The Leader referred to the differing views of 2 local ward councillors as to how best to represent Pittville. He thanked Councillor Dercyk Nash, Gloucestershire Association of Parish and Town Councils who had served as the independent chair of the group. He also wished to thank Helen Down, Team Leader Participation and Engagement for her support in this work. He reported that a Member seminar had recently taken place and a question and answer sheet had been circulated to all Members.

The working group now sought Council approval to commence the consultation with electors and stakeholders in Pittville, in three of the existing parish council areas and in 2 small areas (St Nicholas Drive and Merestones Drive) during August and September 2017. The aim would be to bring back a report to Council in December 2017. The working group has recommended some amendments to the boundary for consultation in Pittville and ascertained that the electoral register can be used to consult with registered electors in the areas under review. Recommendations would be brought back to Council, including how to deal with any allotment sites in areas to become parished.

Cllr Nash was invited to address Council. He referred to the fact that there was a drive from the Department for Communities and Local Government to support areas to become more fully parished. He then highlighted that the working group considered the fact that the University of Gloucestershire's Pittville Campus has been developed into a student accommodation village and the boundary between Prestbury and Pittville wards runs across the middle of it (see map 3 in Appendix 2A). The community governance review could only affect change on parish council boundaries, so the working group proposed that the parish council boundary between Prestbury and Pittville be kept coterminous with the ward / parliamentary boundary and that accommodation blocks be counted as falling on either side of the boundary depending on which side the majority of the block is on. However, the working group also noted that it was not good practice for the boundary to split the campus in this way and therefore has recommended that this is put to the Boundary Commission next time a review of ward or parliamentary boundaries is made.

The following points were raised by Members :

- Map 4 did not correspond with the description given in the report ?
- A Member said that whilst Members were supportive of Parish Councils this was only where residents supported them. Residents should make a decision based on clear facts rather than conjecture and the role of councillors was to support the view given rather than push a particular view. In response the Leader said that one of the big discussions in the working group was how the consultation results would be assessed in terms of the proportion in favour versus the proportion against and those who took an interest in the consultation in the first place. He also informed Members that officers would be writing to every elector rather than every household.
- Cllr Nash explained that National Association of Local Councils (NALC) was asked whether there had been similar experiences elsewhere of

setting any minimum number of responses that should be received, but there was no evidence that a minimum return to a consultation had been required anywhere else. The decision would be based on the number of responses and common sense.

**RESOLVED (unanimously) THAT**

- 1. an amendment to the boundary for consultation in Pittville as per the description in paragraph 5 of Appendix 2 and map 2 in Appendix 2A be approved.**
- 2. amendments to the terms of reference for the Community Governance Review 2017 to include consultation about making changes to the existing parish council boundaries be approved as follows :**
  - **The addition of 4 small consultation areas for Charlton Kings Parish Council (see map 4 at appendix 2A)**
  - **The addition of a consultation area for Leckhampton with Warden Hill Parish Council (see map 5 at appendix 2A)**
  - **The addition of a consultation area for Up Hatherley Parish Council (see map 6 at appendix 2A)**
- 3. the consultation process as described in Appendix 2, paragraph 8 and the respective consultation documents be approved to go out to:**
  - **All registered electors at 24.7.17 within the proposed Pittville Parish Council area (Appendix 2B refers)**
  - **All registered electors at 24.7.17 within the proposed consultation areas for Leckhampton with Warden Hill Parish Council; Charlton Kings Parish Council and Up Hatherley Parish Council (Appendix 2C refers)**
  - **All registered electors at 24.7.17 in the small parts of St Nicholas Drive and Merestones Drive (Appendix 2 D refers)**
  - **Stakeholders with an interest in the Community Governance Review in and around the four areas (Appendixes 2E and 2F refers).**
- 4. the recommendation from the working group about the process for determining the results of the consultation as described in Appendix 2, paragraph 12 be approved.**

**12. REVIEW OF HEAD OF PAID SERVICE ARRANGEMENTS**

The Head of Paid Service left the chamber for this item and the Managing Director Place and Economic Development took her place.

The Chair of the Appointments and Remuneration Committee, Councillor Rowena Hay, introduced the report. She reminded Members that in October 2015 Council approved the creation of a joint partnership committee (now PUBLICA) and as a result of this decision resolved that the council's revised senior management structure which included the deletion of the post of Chief

Executive and Deputy Chief Executive be approved for formal consultation with affected staff. Following the formal consultation period Council agreed to the deletion of the posts of Chief Executive and Deputy Chief Executive and replaced the two posts with a new single post of Head of Paid Service. This placed both post holders at risk of redundancy. Council agreed to release the Chief Executive by reason of redundancy and to internally recruit to the new post of Head of Paid Service. Following a report to the Appointments and Remuneration Committee in January 2016, Pat Pratley was appointed to the post of Head of Paid Service, as suitable alternative employment, on an interim basis of 18 months, pending the anticipated changes to the council's senior leadership team following the creation of the new company, and the need to review the remaining senior management structure during 2017.

The Chair went on to explain that the extent of service provision through a company model was substantially less than originally envisaged following Cabinet's decision not to include three services but to retain them, therefore the structure of the authority's services and the number of directly employed staff now remain very similar to the structure and number employed prior to March 2016.

She referred to the significant progress that had been made over the past year in reshaping the council's service provision. The revenues and benefits service was now the responsibility of the chief finance officer and there were ongoing changes with regard to place and economic development.

The Chair of the Appointments Committee explained that the process of the review leading to this report involved the assistance of the LGA bench marking other similar local authorities senior leadership structures, it also included a comparison between the previous CEO role and those carried out by the Head of Paid service currently with the results showing that there were no significant changes in roles and responsibilities to that of the former Chief Executive.

She referred to the fact that whilst the term Head of Paid service was well known within local government the post of Chief Executive would carry greater authority when forging relationships and negotiating with external partners and stakeholders.

The reinstatement of the post of Chief Executive would therefore ensure that strategic capacity was in place to further develop the vision for the town in terms of place, and put in place a senior leadership structure which would deliver the outcomes that members would wish to see to secure the future prosperity of Cheltenham and the financial sustainability of the authority.

She highlighted that organisational stability during times of significant change and challenge was key to ensuring that this council maintained the capacity and skills to deliver services to the people of Cheltenham into the future. Members were already familiar with Pat Pratley's knowledge, skills and expertise having worked closely with her in her role of Deputy Chief Executive and now Head of Paid Service for a significant number of years. As a senior officer, Pat Pratley had played a key part in many of the major changes the authority had already gone through including the setting up of GO Shared Services, her work to date

with Publica, and her leadership of the organisation following the departure of the former CEO in 2016 until present day.

The Chair of the Appointments and Remuneration Committee proposed an additional recommendation as follows :

*Requests that the Chief Executive Officer undertakes a review of the Senior Leadership Team (Phase 1) and Service Managers (Phase 2) to ensure that the Council has the necessary capacity, skills and behaviours within the executive and service management organisational delivery model and budget to deliver the Council's vision.*

The Chair of the Conservative group fully supported the appointment of Pat Pratley to the post of Chief Executive which would provide stability for the future of the organisation. He did however question the process in terms of the changes to the title of the post although recognised the reasons for this.

Members believed continuity was really important for the organisation and the title of Chief Executive reflected the importance of the authority. There was no doubt of Pat Pratley's ability to undertake the role. They also supported the inclusion of the additional recommendation to ensure that management was robust and could drive the agenda of the council forward.

A question was raised with regard to the costs of redundancy of the former Chief Executive amounting to £178 900 as a statement at the time had been made that the full severance cost would be met by the 2020 programme fund and not directly by the council. It was asked whether partners in 2020 had discussed this current proposal. In response the Leader explained that at the time the Chief Executive post and the Deputy Chief Executive post had been merged into one post of Head of Paid Service, a title that was a legal requirement in local government. He highlighted that the savings achieved of merging the 2 posts had not changed. The 2020 project had received £3.7million in central government funding to support the process. No issues had been raised with the other councils involved in 2020 as the debate at the time focussed on the services included in 2020.

Members praised the current HOPS for her hands on approach to ward issues in the town and gave the example of her ward visits with newly elected councillors where she had taken forward issues which had been raised.

A Member expressed concern that it was only 18 months since the former Chief Executive had left the organisation and at the time Members were assured that this was the only way forward. It was suggested that overview and scrutiny examine how the thinking and decision making process to change things had developed so quickly over that period. In response the Chair of the Appointments and Remuneration Committee explained that at that point a decision had been made to involve more services in the 2020 project but subsequent negotiations in the October led to Cabinet deciding not to fully submit all services. This was a legitimate change in circumstances and it was now time to look forward and it was important to have the right structure in place to deliver for the town.

A Member also questioned why there had been a fundamental change in opinion and that the savings identified for 2020 of £156k and the £50k

redundancy costs could have been used for other purposes. In response a Cabinet Member explained that savings were in any case being achieved in the framework of the REST project.

In summing up the Chair of the Appointments and Remuneration Committee thanked Members for their support for the recommendations.

**RESOLVED (unanimously) that**

- 1. a post of Chief Executive Officer (to include the statutory roles of Head of Paid Service & Returning Officer) is created as set out in this report.**
- 2. the appointment of Pat Pratley to the post of Chief Executive Officer with effect from 1 August 2017 be approved.**
- 3. the Chief Executive Officer be requested to undertake a review of the Senior Leadership Team (Phase 1) and Service Managers (Phase 2) to ensure that the Council has the necessary capacity, skills and behaviours within the executive and service management organisational delivery model and budget to deliver the Council's vision.**

**13. NOTICES OF MOTION**

**Motion A – Tyred Campaign**

The following motion was proposed by Councillor Clucas and seconded by Councillor Whyborn:

*“Cheltenham has many visitors arriving by coach to visit friends, festivals, family, study, shop or just to enjoy our beautiful town. We want those travelling to Cheltenham by coach to be safe.*

*In September 2012, a devastating coach crash caused three innocent people to lose their lives, with many more seriously injured, as they travelled back from a music festival. The crash was caused by 20-year-old, second-hand tyres. 18-year-old Michael Molloy, a talented musician, was one of the victims of this horrific crash and since his death, his mum, Frances, has campaigned to have the law changed so that no other families will endure the loss and suffering as hers have.*

*Many travellers would never imagine that tyres as old as 20-years could be legally used to transport children, families and the elderly on UK coaches every day. This incredibly dangerous practice must stop.*

*Council requests the Leader of the Council to raise the issue both with the LGA and with Cheltenham's MP. The law needs to change to ensure that all coach companies follow the best and use quality, age appropriate tyres when carrying members of the public.*

*Further, that Council's support is notified to the Tyred Campaign”.*

In proposing the motion Councillor Clucas provided more details of the crash referred to in the motion and advised that the coroner in this case had been so concerned that he had written to the Department of Transport urging them to change the law to require tyres to be no more than 10 years old. The DoT did

not change the law but only amended the recommendations and gave no further reasons for not following the coroner's recommendations.

She was aware that events at the Racecourse brought in 6000 staff to work, transported by 50 coaches from across the country. The reputation of these coach companies and their attitude to safety would be unknown to people in Cheltenham. The Council does have an influence via the LGA and the local MP could be instrumental in passing suitable legislation. She assumed this would be secondary legislation as the primary legislation was already in place. She concluded that this one death had been avoidable and she urged colleagues to support the motion.

In seconding the motion Councillor Whyborn said he had no concerns about the local coach operators in Cheltenham but there were many companies that brought people into Cheltenham where they could not have the same degree of comfort about the safety of the vehicles. There was always the danger of a knee-jerk reaction to any health and safety incidents so he suggested seeking advice from a material scientist and he could provide a suitable contact. He was aware that central government had an aim to reduce unnecessary bureaucracy but in this case he was concerned about their lack of action to put suitable measures in place.

During the short debate that followed members were supportive of the recommendations. There was a suggestion that the same requirement should apply to all public transport including buses and taxis. The Cabinet Member Development and Safety advised members that taxis were regularly checked by enforcement officers within the Council. The vice-chair of Licensing Committee added that no taxi vehicle could be older than 14 years and any vehicle over 8 years would be subject to more regular checks. A review was currently underway of Licensing policy so any member would be welcome to contribute to the review.

The Mayor concluded the debate by saying this was an important campaign which would help keep the citizens of Cheltenham and its visitors safe.

Upon a vote the motion was carried unanimously

### **Motion B – Ofsted Report into GCC Children’s Social Services**

The following motion was proposed by Councillor Clucas and seconded by Councillor Jeffries:

In view of the damning Ofsted report into GCC Children's Social Services, which highlights catastrophic failings, together with the Domestic Homicide Reviews, (DHR) and Serious Case Reviews (SCR) all of which concern Cheltenham families and children, it has been proposed that Cabinet Member group be set up.

The Cabinet Member working group will be serviced by the Head of Paid Service, and include the Leader of the Council, Safeguarding Champion, Cabinet Member Healthy Lifestyles, together with other members of the Council who may have a relevant interest.

It is envisaged that the initial scope of this executive led group will be to provide constructive scrutiny / oversight of the proposed LGA review and the GCC children's services improvement plans, in the role of critical friend thereby providing healthy, positive challenge. Central to this would be open and transparent engagement from GCC.

Council resolves that the Leader of the Council write to the Leader of the County Council and to GCC Chief Executive to inform them of the Cabinet's intention to set up the Cabinet Member working group and asking for an assurance that officers from GCC will be expected to cooperate and, to appear before the working group should that be required, also that reasonable requests for information will be responded to within appropriate time scales.

Before the debate, Councillor Harman informed the Mayor that he had taken some advice regarding his position as a Cabinet Member at GCC and on that basis he decided to withdraw from the meeting for this item.

Councillor Clucas was invited to propose the motion as set out in the agenda.

At this point a member raised a point of order regarding a potential amendment from Councillor Mason that was discussed with the proposer and seconder of the motion before the Council meeting and wished to confirm the motion now being debated. Councillor Mason had intended that this would replace the original motion however there had been some misunderstanding that the wording was in addition to the original motion.

The Mayor called for a short adjournment and urged Members to come back having agreed exactly what was being proposed.

Following the adjournment, Councillor Clucas advised that the motion was as per the published agenda. She advised that she had assisted the Cabinet Member, Councillor Jeffries on dealing with some safeguarding issues some time before the Ofsted report had been published. The Ofsted report had been very clear in its conclusions and recommendations and she and the Cabinet Member had met with the new director of Children's Services at GCC last week. The Director had outlined the measures they were taking and had given her assurance that both officers and the GCC Cabinet Member would be happy to work with the working group suggested in this motion. She stressed that the motion was not political and the strong wording used was there to emphasise the seriousness of the situation and the lack of oversight within the GCC. Over the last two years concerns had been raised with GCC regarding child safeguarding and the council must now do what ever they can to ensure no other children are adversely affected. She proposed that the working group was chaired by the Leader of the Council with this Council's Chief Executive being the Lead Officer. She urged colleagues to support the motion to ensure that children were given the best possible start in life.

In the debate that followed all members that spoke supported the motion.

A member said that the Ofsted report had been shocking and as a result it was reasonable to bring a motion forward with some just criticism. The services had been inadequate and there had been a failure in service leadership and a denial at GCC Cabinet level that there were any problems. Indeed county council



members had been assured on several occasions that everything was OK with regard to safeguarding issues raised in previous Ofsted reports. He was impressed by the keen interest taken by key officers and Members in this council and was delighted to see the suggestion for a working group which could bring about improvements. It was very important that this group gained an understanding of the history and members should be aware that children in Gloucestershire were still facing some risks. The group should require former officers to give evidence and the former Cabinet Member who was no longer a member of the county council. The group should also consider reopening complaints from families regarding previous decisions affecting children in this borough. This should not be considered duplication of the independent LGA review that had been commissioned by GCC and this council had a mandate to set up the working group proposed in the motion.

A member was concerned about the blocking of information from front-line staff at GCC who wished to complain about their manager and references to bullying in the report and suggested that the annual anonymous staff surveys and exit interviews suggested at the GCC Council meeting could also be adopted at CBC. The Head of Paid Service agreed to confirm current practice regarding exit interviews and review circulation of staff survey results to Members.

A Member highlighted that there were only two other authorities in the country who had received two consecutively bad Ofsted reports and nobody wanted a third for Gloucestershire.

Other stressed the importance of effective overview and scrutiny to challenge the decisions that were made and to ask difficult questions. This was not political and GCC should welcome this council's assistance. Other Members supported this view and important issues like safeguarding were incumbent on all councillors working together and partisanship was to be avoided.

Other Members highlighted other areas of concern. Some pupil exclusion rates in Cheltenham were far too high and this could result from poor management at Shire Hall. Children's Services were not encouraged to prosper and there was evidence of a lack of continuity in social workers allocated to particular cases and a high level of staff vacancies and poor management. It should be considered a failure of the service if it relied on whistleblowers to highlight issues to senior management and Members. The Chief Executive of GCC had advised staff that the people at the top had been moved on but it was essential to understand what had gone wrong and why.

A member who was also a county council member said he was deeply embarrassing and guilty on his failure to deliver on his duty to children as a corporate parent and he was asking himself whether he could have done more to scrutinise and was he too lax in believing what he had been told. All Members of this council had a similar duty of care and a need to uncover what had gone wrong in this case and help GCC to put it right.

Another member suggested that there was an issue of trust going forward as although children's services were not technically a responsibility of this council, all members had a moral obligation to investigate the issue on behalf of the people they represent.

Another Member suggested that counselling could be offered to social workers when dealing with cases that were potentially distressing. The prospects for children once in the criminal justice system were severely diminished and therefore it was appropriate that funding was better spent up front to avoid this happening.

In seconding the motion, Councillor Jeffries gave his apologies to Councillor Mason for any miscommunications regarding his suggested amendment. As Cabinet Member he had been championing safeguarding issues over the last four years and he agreed that this council should be doing everything it can to support GCC in improving the current situation, in fact this council had a long tradition of working in partnership. The forum suggested would be Cabinet led but cross party and would be a critical friend rather than lambasting or criticising for its own sake. He included that all children need support so he encouraged all members to support the sentiment behind the motion.

Councillor Clucas urged all members to vote for the motion and learn from the past and focus on putting into practice improvements for now and in the future.

Upon a vote the motion was carried unanimously.

#### **Motion C – National Autistic Society “Autism hour”**

*“This Council notes that the National Autistic Society have an on-going campaign called “Too Much Information”, which is aimed at raising public awareness of the issues suffered by people with autism and challenging the myths about autism.*

*This Council further notes that as part of this campaign, in the week of 2<sup>nd</sup> October 2017, they are asking shops and businesses to organise and participate in the National Autistic Society “Autism Hour” and to take simple steps for 60 minutes that lead to a more autism-friendly world:*

*<http://www.autism.org.uk/get-involved/tmi/autism-hour.aspx>*

*This Council believes that we should be supporting Autism Hour in Cheltenham.*

*Therefore this Council resolves to:*

- a) Show our municipal support for this by signing up on the National Autistic Society website <http://www.autism.org.uk/autismhour/>.*
- b) Support Autism Hour at 10am on 2<sup>nd</sup> October 2017 in all publicly accessible municipal offices under our direct control or influence.*
- c) Actively encourage our partners and contracted service providers, with public spaces to also sign up for Autism Hour.*
- d) Through the Chamber of Commerce and the BID, seek to work with the business community in the town to encourage them to sign up and participate.*
- e) Publicise our support for this event, including details of others in the town that we know are participating.*
- f) Request the Cabinet Member Healthy Lifestyles to work with the relevant officers to take these actions forward.”*

In proposing the motion Councillor Willingham informed Members that although he was a member of the National Autistic Society he would not receive any

personal benefit if this motion was carried. There were simple ways in which those with autism could benefit and he gave examples of turning down music in shops and turning down lights.

In seconding the motion, Councillor Clucas gave an example where an ASDA supermarket had taken steps to make a 7 year old boy with autism more comfortable in going into the shop with his parents by implementing some simple measures.

Members spoke in favour of the motion and the Mayor concluded by offering her support in helping to promote this important issue.

Upon a vote the motion was carried unanimously.

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

None.

Klara Sudbury  
**Chairman**

