

Cheltenham Borough Council
Council – 16 October 2017
Imperial Square and Promenade Long Gardens flowers
petition

Accountable member	Cabinet Member Clean and Green Environment, Councillor Chris Coleman
Accountable officer	Director of Resources, Mark Sheldon
Ward(s) affected	All
Key Decision	No
Executive summary	<p>The following e-petition was submitted on the 30 September 2017.</p> <p>“We the undersigned strongly encourage the Council to continue to plant Imperial Gardens and the Promenade Long Gardens with formal seasonal flowers in October and June.”</p> <p>The planting in these areas gives colour all year round and is an important part of Cheltenham's charm and attractiveness to residents and visitors.</p> <p>As the petition had in excess of 750 signatures it is entitled to a debate at Council.</p> <p>Cabinet is due to consider the public realm planting strategy review at its meeting on 11 November 2017.</p>
Recommendations	That Council requests that officers consider the issues raised by the petition as part of developing options on the future approach to planting in Cheltenham’s public realm.
Financial implications	<p>The business case comparing the future costs of maintaining the existing planting regime compared to an alternative herbaceous planting regime is being finalised and will be included in the report to Cabinet.</p> <p>Contact officer: Myn Cotterill, myn.cotterill@cheltenham.gov.uk, 01242 774958</p>

Legal implications	<p>The council's Petition Scheme was originally introduced in 2010 as required by the Local Democracy, Economic Development and Construction Act 2009. Whilst there is no longer a statutory requirement to have a petition scheme, the council has continued with its Scheme. The petition will be considered in accordance with the Council Procedure Rules varied in so far as necessary to comply with the attached Process.</p> <p>Any decision to change the approach to planting is an Executive one and one is proposed be taken by Cabinet.</p> <p>Contact officer: Peter Lewis, One Legal</p> <p>peter.lewis@tewkesbury.gov.uk Tel:01684 272012</p>
HR implications (including learning and organisational development)	<p>There are no direct HR Implications for employees of Cheltenham Borough Council but any proposed changes could have an impact on employees of Ubico Limited. Therefore HR implications arising from any decision to change planting approach will be outlined in business case and report to Cabinet.</p> <p>Contact officer: Julie McCarthy, julie.mcarthy@cheltenham.gov.uk, 01242 264355</p>
Key risks	<p>A full risk assessment will be developed to support the business case.</p>
Corporate and community plan Implications	
Environmental and climate change implications	<p>None arising from this report.</p>
Property/Asset Implications	<p>Any property impact will be addressed as part of the development of the business case.</p> <p>Contact officer: David Roberts@cheltenham.gov.uk</p>

1. Background to the Petition Scheme

- 1.1** The council's Petition Scheme is designed to ensure that the public has easy access to information about how to petition the council and what to expect in response. Included within the Scheme is the requirement to have a full Council debate should 750 signatures be achieved.
- 1.2** The purpose of the requirement for Council debate is not to ensure that the final decision relating to the petition issue is made at that Council meeting but to increase the transparency of the decision making process, ensuring that debates on significant petitions are publicised with sufficient notice to enable the petition organiser and public to attend. It also ensures that local people know that their views have been listened to and they have the opportunity to hear their local representative debate their concerns. The outcome of debates will depend on the subject matter of the petition.

2. The petition

- 2.1** The e-petition was submitted on the 29 September 2017. The wording of the petition is set out in the Executive Summary of this report. The e-petition attracted 2436 signatures including 136 on-line.
- 2.2** Fiona Wilde is the petition organiser.
- 2.3** Council is required to debate the petition for a maximum of 15 minutes in accordance with the Petitions Scheme approved by Council on the 13 May 2010. A process for dealing with a petition was produced by officers and is attached as Appendix 1 as a process to be followed for the debate at this meeting. The debate should conclude with one or more decisions taken pursuant to the Petition Scheme as follows:
- taking the action requested in the petition (provided the matter is reserved to full Council for decision)
 - referring the matter to Cabinet or an Appropriate Cabinet Member or Committee (including Overview and Scrutiny) for further consideration
 - holding an inquiry into the matter
 - undertaking research into the matter
 - holding a public meeting
 - holding a consultation
 - holding a meeting with petitioners
 - calling a referendum
 - writing to the petition organiser setting out our views about the request in the petition
 - taking no further action on the matter

3. Public realm planting strategy review

- 3.1** A project is currently underway to review the council's approach to annual seasonal planting in and around the town centre. This includes the Long Garden and Imperial Gardens and other similar locations. Hanging baskets and containers do not form part of this review.
- 3.2** The aim is keep the extent of the planting, but consider other planting styles that would help to achieve the following aims:
- A move to a more modern style of planting using flowering perennials that gives year round interest
 - Increase in levels of local biodiversity, benefiting pollinating insects
 - Reduction of natural resources in the production and maintenance of the displays (water, topsoil and energy)
 - Reduction in levels of maintenance i.e. does not require lifting and replanting twice per year, and continuous watering during the summer months.
 - Greater tolerance to year round weather conditions and damage.

4. Stakeholder engagement

- 4.1** The project team has been keen to gather the views of interested parties. Stakeholder events were held in early September at which participants aired a range of views to the potential change in approach to planting regime.

- 4.2 A Member's seminar is organised for Wednesday 11th October which will be an opportunity for officers to present the rational for a change in approach.
- 4.3 In order to support the debate and provide information for the public, the council has developed a webpage which sets out the proposals in greater detail.
- 4.4 A number of letters and emails both in support of the petition and also in support of a move to an alternative approach to planting have been received. Amongst the letters of support for the petition was a letter from Honorary Alderman Anne Regan who requested that her letter should be considered by council.

5. Timetable for decisions

- 5.1 Currently, a report and supporting business case comparing option is due to be considered by Cabinet on 11th November.
- 5.2 Any subsequent decision in relation to the nursery is due to be considered by Cabinet on 7th December having consulted with the Asset Management Working Group.

6. Reasons for recommendations

- 6.1 Refer the matter to Cabinet for further consideration and a decision.

Report author	<p>Contact officer: @cheltenham.gov.uk, Tel: 01242 26</p> <p>Rosalind Reeves, Democratic Services Manager rosalind.reeves@cheltenham.gov.uk 01242 774937</p> <p>Adam Reynolds, Green Space Development Manager Adam.reynolds@cheltenham.gov.uk, 01242 77 4669</p>
Appendices	<ol style="list-style-type: none"> 1. Process for dealing with a petition at Council 2. Letter from Honorary Alderman and former Mayor, Anne Regan. 3. Risk assessment
Background information	<ol style="list-style-type: none"> 1. Council's petition scheme – report to Council 13 May 2010

Process for dealing with petitions at Council

The following is the recommended process to be followed for the debate of a petition at the Council meeting in accordance with the Council's Petition Scheme. The Council Procedure Rules shall be suspended in so far as necessary to facilitate this process.

1. The Mayor will remind members of the procedure to be followed

2. Statement by the petition organiser

The Mayor will invite the petitioner organiser or their representative to come to the microphone and speak for up to 5 minutes on the petition. There will be no questions and the petition organiser/their representative will take no further part in the proceedings.

3. Clarification on the background information in the officer's report

Members will be invited to ask any questions for clarification as to the facts in the officer's report.

4. Statement by the relevant Cabinet Member

The Cabinet Member whose portfolio is most relevant to the petition will be invited by the Mayor to speak for a maximum of 5 minutes on the subject of the petition. They may wish to refer to the background report from officers circulated with the papers for the meeting.

They may also wish to propose a motion at this point; if so, the motion must be seconded.

5. Debate by members

Where a member has proposed a motion (which is seconded), the usual Rules of Debate (Rule 13) will apply.

If there is no motion, the Mayor will invite any member who wishes to speak on the petition to address Council for up to a maximum of 3 minutes.

When the 15 minutes set aside for the debate (as laid down in the Council's Petition Scheme) is up, the Mayor may decide to extend the time allowed for the debate but will bring it to a close when they feel sufficient time has been allowed.

6. Conclusion of Debate

The debate should conclude with one or more decisions taken pursuant to the Petition Scheme as follows:

- taking the action requested in the petition (provided the matter is reserved to full council for decision)
- referring the matter to Cabinet or an Appropriate Cabinet Member or Committee (including Overview and Scrutiny) for further consideration
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
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