

## Council

10 December 2018

### Member Questions (11 total)

<b>1.</b>	<b>Question from Councillor Paul Baker to Cabinet Member Clean and Green Environment, Councillor Chris Coleman</b>
	<p>Single use plastic is a significant issue for our town, for our world. As well as recycling as much as we can we must also reduce the amount of it being produced and sold in our town. I note a number of street traders in the town selling cheap single use plastic balloons and novelties, particularly at this time of year, but other times too. I would like to propose our licensing policy be changed to prohibit licences for such products in the future.</p>
	<b>Response from Cabinet Member</b>
	<p>The street trading policy is currently being reviewed and the use of single-use plastics will be addressed through this mechanism.</p> <p>For the avoidance of doubt however, many of the mobile traders referred to in the questions to Council are street pedlars, who are not licensed by the authority and do not therefore fall within its jurisdiction. Pedlars are licensed by police forces and to this extent the Council cannot impose any specific restrictions on them.</p> <p>Where a pedlar is operating otherwise than in accordance with the rules (e.g. they cannot be static for extended periods of time and must move from town to town etc.) the Council can act, as this may be considered to fall within the remit of street trading, which is the Council's responsibility.</p>
<b>2.</b>	<b>Question from Councillor Paul Baker to Cabinet Member Clean and Green Environment, Councillor Chris Coleman</b>
	<p>At the last Council meeting I asked the Cabinet member about the use of single use plastics both by the Borough and our partner organisations. I still await a response from those partner organisations.</p>
	<b>Response from Cabinet Member</b>
	<p>The Council and its partner organisations are working to reduce the use of single-use plastics.</p> <p>Ubico has confirmed that it, like the Council, is reducing the use of single-use plastics, including cups, cutlery, site notices etc. and is also considering action in relation to single-use plastics used as part of the service e.g. black plastic bags etc. Alternative options will be reviewed as soon as possible.</p> <p>Other partner organisations have been asked to report back to Members in the New Year on actions planned for 2019/20.</p>
<b>3.</b>	<b>Question from Councillor Paul Baker to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>
	<p>GCC have confirmed that the monies raised from fines issued for drivers ignoring the Boots Corner closure would be spent in Cheltenham. What has the money been spent on to date, what further proposals are there? Could some of it be used to restore the disgracefully rusted and tatty Victorian street lights in the town in roads like Keynsham Road?</p>

	<b>Response from Cabinet Member</b>				
	<p>The Director of Environment has written to the lead commissioner at GCC, who has confirmed that there was a commitment by the GCC Cabinet lead, Cllr Nigel Moor in response to a question from Cllr Klara Sudbury, to use any income surplus from penalty charges at Boots' Corner to promote walking and cycling in Cheltenham. This was subsequently agreed at the GCC Cabinet on 12th September, 2018. See extract below:-</p> <table border="1"> <tr> <td><b>12. Questioner's name: Cllr Klara Sudbury</b></td><td><b>Respondent's name: Cllr Nigel Moor</b></td></tr> <tr> <td>Are the profits from fines received by GCC from vehicles being driven illegally through Boots Corner being ring-fenced to be reinvested in Cheltenham? If not please can I ask that they are and also that the profits from such fines are used in Cheltenham to improve pavements and increase the number of cycle paths in our town; both of which positive and proactive measures are needed to enable more people to choose to walk and cycle safely (particularly those who are less mobile).</td><td> <p>Legislation requires that all parking and bus gate enforcement fines remain within Highways and Transportation budgets used for this purpose.</p> <p>However in this specific instance the administration is willing to agree this request.</p> </td></tr> </table> <p>GCC is currently working on developing the process for implementing this commitment, but has advised that given the considerable set-up costs for the scheme and the costs of administering appeals, any surplus remaining is hard to estimate at present. Until there is clarity on this, officers at GCC are understandably holding off committing to any works on schemes that could be funded from this source.</p> <p>There are many potential uses that could fit with the agreed funding criteria, but this is ultimately a matter for consideration by GCC.</p>	<b>12. Questioner's name: Cllr Klara Sudbury</b>	<b>Respondent's name: Cllr Nigel Moor</b>	Are the profits from fines received by GCC from vehicles being driven illegally through Boots Corner being ring-fenced to be reinvested in Cheltenham? If not please can I ask that they are and also that the profits from such fines are used in Cheltenham to improve pavements and increase the number of cycle paths in our town; both of which positive and proactive measures are needed to enable more people to choose to walk and cycle safely (particularly those who are less mobile).	<p>Legislation requires that all parking and bus gate enforcement fines remain within Highways and Transportation budgets used for this purpose.</p> <p>However in this specific instance the administration is willing to agree this request.</p>
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<b>4.</b>	<b>Question from Councillor Tim Harman to Cabinet Member Clean and Green Environment, Councillor Chris Coleman</b>				
	Will the Cabinet Member update Council on the commissioning of the new crematorium and the situation with regard to capacity for cremations in Cheltenham?				
	<b>Response from Cabinet Member</b>				
	<p>The project to deliver the new crematorium remains on time and on budget with anticipated completion in Spring 2019.</p> <p>CBC does not have any statutory responsibility for ensuring sufficient cremation capacity within the locality, but has worked with funeral directors to help ensure that this should not be an issue.</p> <p>The Director of Environment has had discussions with the relevant commissioner at the Clinical Commissioning Group (CCG) in relation to mortuary capacity at hospitals, so they are aware of the Council's current position regarding cremations and are reviewing their own business continuity arrangements to identify adequate storage and cremation capacity for the winter peak period.</p>				
<b>5.</b>	<b>Question from Councillor Tim Harman to Cabinet Member Clean and Green Environment, Councillor Chris Coleman</b>				
	<p>The Bath Road "bring site " and I believe other sites suffered from massive overflows at the August Bank Holiday due to problems with the availability of drivers in the pre bank holiday period .</p> <p>Can the Cabinet Member confirm what steps he has taken in discussion with Ubico to avoid a recurrence over the forthcoming Christmas and New Year's holiday period which is always a time when these sites come under pressure?</p> <p>Will he consider increasing capacity on a temporary basis with additional skips targeted on particularly busy sites such as a Bath Road?</p>				
	<b>Response from Cabinet Member</b>				

	<p>No operational issues are anticipated with staffing in general, or the bring bank sites over the Christmas and New Year period, but Ubico will be monitoring this closely and taking any necessary action. The public are asked not to fly-tip recycling or other waste on the ground next to the bring banks.</p> <p>Unfortunately, the national situation regarding the availability of HGV drivers has not improved greatly since August. However, Ubico has and still is, training up its own drivers to improve service delivery. The use of agency staff has dramatically reduced as a consequence, thereby mitigating the risk of drivers choosing to go elsewhere, which was causing 'on the day' operational issues for Ubico, such as the difficulties with clearing the bring banks over the August bank holiday.</p>
<b>6.</b>	<b>Question from Councillor Tim Harman to Cabinet Member Clean and Green Environment, Councillor Chris Coleman</b>
	<p>Will the Cabinet Member outline any plans that the Council may have to introduce low emission vehicles into its fleet?</p> <p>Also will the Cabinet Member indicate if he can influence Ubico and Cheltenham Borough Homes to do the same?</p>
	<b>Response from Cabinet Member</b>
	<p>Environmental considerations always form part of the procurement process and the Council will look to reduce emissions further wherever possible, as part of any of its future procurement exercises.</p> <p>As an example, the Council's car parking team is looking at the potential for using electric vehicles when it replaces its current vans and whether these might be sponsored by a local supplier, to show support for the authority's air quality management strategy and more sustainable travel alternatives.</p> <p>As a commissioner of services, CBC will seek to influence decisions taken by partners to introduce low emission vehicles. Vehicles are procured every 5 years by CBH and as part of the procurement review, electric vehicles are being considered. At present, any savings on fuel are outweighed by the initial costs of the vehicles. However, given the advances in technology, the potential procurement of electric vehicles will continue to remain under consideration at the next review.</p> <p>Since the service change in October 2017, UBICO's current refuse and recycling fleet operates more efficiently to minimise mileage and fuel consumption, helping to reduce emissions. This means that on each day of the week, all collections are made in one area of the borough, rather than having vehicles travelling across the whole town.</p> <p>UBICO vehicles are maintained to the highest standards to ensure engines are operating as efficiently as possible, therefore minimising emissions. Ubico operates a predominately Euro 6 compliant fleet; with the exception of those vehicles identified for replacement in the near future. The Euro 6 engine emits considerably less harmful gases than previous diesel engines, contributing to an improvement in air quality and complementing Ubico's commitment.</p>
<b>7.</b>	<b>Question from Councillor Wilkinson to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>
	<p>Residents in Oakley will have noted that the next concert at the Cheltenham Town football ground is going to be by Craig David. The previous concert – the first hosted at the stadium – was by Steps and was considered a Tragedy by many local residents. Local people would like reassurance that there will be no re-rewind to that scenario of 10 hours of noise pollution. Can the Cabinet Member fill me in?</p>

	<b>Response from Cabinet Member</b>
	Following complaints received from residents after the Steps concert in 2018, the council's environmental health team will be offering guidance to the event organisers well in advance to control noise during the Craig David concert in May 2019 in accordance with national guidelines for such events.
<b>8.</b>	<b>Question from Councillor Wilkinson to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>
	After lobbying by Councillor Klara Sudbury, Gloucestershire County Council has agreed to use revenue from fines levied on drivers going through Boots Corner for improvements to cycling and walking facilities. The longstanding ambition to extend the Honeybourne Line to Lansdown Road was recently postponed indefinitely after funding cuts to the Cheltenham station project. Will Cheltenham Borough Council ask the county council to contribute the fines money to this important scheme to improve sustainable transport links?
	I believe that O&S committee was recently advised that whilst there were challenges to delivering the extension of the existing Honeybourne line to the Lansdown Bridge, that both CBC and GCC were collectively engaging with GWR and Network Rail to ensure that it happened. Should there be a financial challenge this would appear to be a suitable solution to ensure delivery and I will ask County colleagues to consider this.
<b>9.</b>	<b>Question from Councillor Wilkinson to the Leader, Councillor Steve Jordan</b>
	In January 2016 Cabinet endorsed the report of the walking and cycling scrutiny group, which included an endorsement of Cheltenham and Tewkesbury Cycle Campaign's wish list. During the scrutiny period, the group was advised that the most likely route to finding money for infrastructure works was via CIL. When is the CIL board being formed, who will sit on it and how can it be influenced to prioritise investment in cycling infrastructure?
	<b>Response from Cabinet Member</b>
	At full council on Monday 15 October 2018, Cheltenham Borough Council formally adopted a CIL charging schedule and set a commencement date for 1 January 2019. As part of this report (para 1.7.3 set out that "the governance arrangements to be put in place in relation to the expenditure of CIL income, retained by the Charging Authorities, will be considered by the JCS partners over the course of the first 6 months of the programme. These arrangements will be presented to Cabinet for decision". The detailed information as requested by Cllr Wilkinson is not yet available, but work is underway with OneLegal and our partners Gloucester and Tewkesbury and a report on this will be considered by Cabinet in due course. Improving infrastructure for walking and cycling will be an important part of this discussion.
<b>10.</b>	<b>Question from Councillor Stephen Cooke to Cabinet Member Clean and Green Environment, Councillor Chris Coleman</b>
	Will the Cabinet Member responsible please review the provision of public toilets in Cheltenham including their number, maintenance, cleanliness and times of opening, and make these data available to members?
	What ongoing strategy is in place to provide sufficient public toilets of good quality for the use of residents and visitors to the town centre?
	<b>Response from Cabinet Member</b>
	As I have previously informed Members, in tandem with the project to install the changing places wc in Pittville park and one in a town centre location, a review of public toilet provision is underway.
	The review is looking at the investment required to council owned toilets and, as previously indicated will explore the potential to improve public access to facilities in commercial premises.
	Given the pressures on officers in delivering on major projects including the cemetery and crematorium, leisure @ and WW1 commemorative activities, the wc review has yet to be

	<p>finalised.</p> <p>Once this is complete, it will be presented to the Asset Management Working Group for consideration ahead of Cabinet.</p>
<b>11.</b>	<p><b>Question from Councillor Stephen Cooke to Cabinet Member Finance, Councillor Rowena Hay</b></p> <p>While the good intention underlying recent property investments by Cheltenham Borough Council is understood, why was a Freedom of Information request necessary for residents and tax payers to learn that £21million of their money was spent on the purchase of a supermarket site?</p> <p>I would like to thank Councillor Cooke for his question. It seems a nonsense that once a transaction has completed the purchase price cannot be made public. However as is often the case with commercial property transactions, the contract contained a confidentiality clause inhibiting the Council from disclosing information in respect of the transaction. This would have extended to the purchase price. This clause would have continued to bind the council after completion.</p> <p>The clause contained an exemption for information disclosed under a statutory obligation. Therefore whilst disclosing the information voluntarily would have been a breach of the contract by the Council, responding to a Freedom of Information request would not. The Council is obliged to disclose under a statutory obligation (which could include freedom of information and access to information) and this resulted in the release of the figure.</p> <p>The purchase price will ultimately become public information following registration of the transaction at the Land Registry: however, it is likely to be some time before the Land Registry completes the registration.</p> <p>In future this council will not agree to be bound post completion by non disclosure clauses.</p>