

Cheltenham Borough Council
Council – 21 January 2019
Petition to re-open Boots Corner

Accountable member	Cabinet Member Development and Safety, Councillor Andrew McKinlay
Accountable officer	Managing Director Place and Economic Development, Tim Atkins
Ward(s) affected	All
Significant Decision	Yes
Executive summary	<p>The following petition was received by Council on 10 December 2018.</p> <p>“We the undersigned call on Cheltenham Borough Council to re-open Boots Corner at the earliest opportunity.”</p> <p>As the petition had in excess of 750 signatures it is entitled to a debate at Council.</p>
Recommendations	<p>a) To consider the petition in line with the Council’s petition scheme.</p> <p>b) To take no further action on the petition, given the report and recommendations set out in the next item on the Council agenda titled ‘Cheltenham Transport Plan’ which provides the case for extending the trial closure with mitigations to address issues and concerns raised.</p>

Financial implications	None arising from this report.
Legal implications	<p>The petition will be debated at Council in accordance with the Council’s Petition 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>Contact officer: Peter Lewis, One Legal</p> <p>peter.lewis@teWKesbury.gov.uk Tel:01684 272012</p>
HR implications (including learning and organisational development)	None applicable
Key risks	No risks identified at this stage until Council decides what action to take on the petition.

Corporate and community plan Implications	The delivery of the CTP stage 4 and closure of Boots Corner to general traffic is a priority set out in the Council's Corporate Plan.
Environmental and climate change implications	An objective of the Local Sustainable Transport Fund is to encourage modal shift to more sustainable forms of transport (walking, cycling & public transport) thereby contributing to national targets to reduce carbon emissions.
Property/Asset Implications	None Applicable

1. Background to the Petition Scheme

- 1.1** The Council's Petition Scheme is designed to ensure that the public have easy access to information about how to petition their local authority and they will know what to expect from their local authority in response. Included within the Scheme is the requirement to have a full Council debate should a petition be received with 750 signatures.
- 1.2** The Scheme recognises that the issue may be referred to another part of the authority where the matter is not one reserved for Council. The purpose of the requirement for Council debate, therefore, 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 Council received a petition at its meeting on Monday 10 December 2018. The wording of the petition is set out in the Executive Summary of this report.
- 2.2** Councillor Tim Harman was nominated as the petition organiser.
- 2.3** The Council is therefore 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. Officer Comments

- 3.1** The Cheltenham Transport Plan (CTP) as it has become known was initially generated from the Civic Pride programme which had cross-party support to regenerate the town centre, with a particular focus on reducing the impact of the inner ring road and regenerate specific sites. The ability to deliver the road network changes occurred when GCC with support from CBC won a Local Sustainable Transport Fund bid in 2011 which provided the funding both for network changes but also softer measures around encouraging alternative travel options, often referred to as “modal shift”. Delivery of the scheme is also an objective of the GCC Local Transport Plan, as its delivery supports many of the wider targets such as promoting cycling.
- 3.2** The implementation of phase 4 of the CTP is listed in the CBC interim corporate strategy action plan, approved by this council on 26th March 2018 with an action to monitor the impact. This strategy was recorded as adopted unanimously, and with colleagues at GCC, CBC has been monitoring the scheme as agreed.
- 3.3** The scheme also responds to emerging advice such as that released by the National Institute for Health and Care Excellence promoting walking and cycling over private motor vehicles and the Future High Streets Fund which again supports improvements to transport access, traffic flow and circulation.
- 3.4** As GCC are the Highways Authority, all interventions require their support, so having modelled and considered the options and taken the plans through a public Traffic Regulation Order Committee meeting, GCC decided that a phased intervention would be most appropriate.
- 3.5** Early phases including changes on Albion Street and Imperial Square were permanent whilst the Boots Corner phase was to be trialled. Each permanent phase has been subjected to traffic analysis set against baseline data from 2015, and subsequent years, and that analysis was recently presented to CBC Overview & Scrutiny Committee, demonstrating how decisions to progress were made after each phase.
- 3.6** The Boots Corner phase is based upon an experimental traffic order as determined by GCC cabinet; this can run for up to 18 months.
- 3.7** An update report is being considered at this council meeting as the next item on the agenda which provides a detailed update on the CTP. This includes details (included in the appendices) of the issues raised during the initial phase of the trial. It is important that Members refer to this report in considering this petition.
- 3.8** GCC have been running a formal consultation exercise alongside the trial, as well as collecting traffic data as before. In addition, CBC has continued its regular monitoring of environmental data, and in response to concerns installed additional monitoring points, although in line with DEFRA requirements these require trend not spot data to inform any analysis and decision making. CBC working in collaboration with GCC has also been collecting wider impact data upon modal shift with measures including footfall movements, cycling movements and bus patronage.
- 3.9** The consultation responses are covered in the GCC briefing note set out in the next item, but are summarised below:
- Blue badge holders;

- Concerns from Clarence Street / Clarence Parade traders;
- Concerns relating to the signage;
- Concerns/comments on traffic increases on other routes around the town and increases in journey time. Streets mentioned include St. George's Street and Rodney Road.

3.10 GCC with CBC have been liaising with various groups. The proposed steps to be taken are covered in the GCC briefing note set out in Appendix 3 of the next item and will be considered by Council Members.

3.11 Whilst change is not always welcome, the performance of the High Street (Town Centre) remains both a target for government (October 2018 announcement of £675m Future High Street Fund) and for this Council.

3.12 The delivery of the Cheltenham Transport Plan aligns with central government policy on the challenges facing town centres, including the Future High Streets Fund; GCC Local Transport Plan and wider government initiatives such as the DfT Cycle & Walking Investment Strategy 2017.

4. Reasons for Recommendations

4.1 As the substantive issues relating to this petition are to be further debated at the next item on the agenda, supported by detailed information and proposed mitigations to be applied in an extension of the trial closure, it is therefore recommended that the option of 'no further action be taken'.

Report author	Contact officer: Tim.Atkins@cheltenham.gov.uk, Tel: 01242 264103
Appendices	<ol style="list-style-type: none"> 1. Process for dealing with petitions at Council 2. 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;
- 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.

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	See key risk section										

Explanatory notes

Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)

Likelihood – how likely is it that the risk will occur on a scale of 1-6
(1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)

Control - Either: Reduce / Accept / Transfer to 3rd party / Close