

Overview & Scrutiny Committee

Monday, 3rd June, 2019

6.00 - 8.15 pm

| Attendees | |
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| Councillors: | Chris Mason (Chair), Sandra Holliday, John Payne, Paul Baker, Max Wilkinson, Dilys Barrell, Jo Stafford, Dennis Parsons and David Willingham (Reserve) |
| Also in attendance: | Councillor Steve Jordan, Councillor Flo Clucas, Tracey Crews, Ken Dale, Richard Gibson, Adam Reynolds, Darren Knight, Councillor Diggory Seacome and Councillor Martin Horwood |

Minutes

1. APOLOGIES

Councillors Dobie and Sudbury had given their apologies. Councillor Willingham substituted for Councillor Dobie.

2. DECLARATIONS OF INTEREST

Councillor Parsons declared a non-prejudicial interest in agenda item 14 (Leisure and Cultural Services), as a member of the Board of Trustees of the Cheltenham Trust.

3. MINUTES OF THE LAST MEETING

The minutes of the last meeting had been circulated with the agenda.

Upon a vote it was unanimously

RESOLVED that the minutes of the meeting held on the 1 April 2019 be agreed and signed as an accurate record.

4. PUBLIC AND MEMBER QUESTIONS, CALLS FOR ACTIONS AND PETITIONS

4 member questions had been received and these along with responses had been circulated in advance of the meeting.

Councillor Willingham, who had submitted the questions, agreed for these to be taken as read and that they would be discussed further under agenda item 10 (Strand and Cambray Place Improvements – Project Initiation Document).

5. MATTERS REFERRED TO COMMITTEE

There were none.

6. FEEDBACK FROM OTHER SCRUTINY MEETINGS ATTENDED

The Chairman referred members to the written updates that had been received from Councillors Horwood and Brownsteen relating to recent meetings of the

Gloucestershire Health Overview and Scrutiny Committee and Police and Crime Pane, respectively.

In the absence of Councillor Brownsteen, the Chair invited Councillor Horwood to answer member questions on his update, which was taken as read. He gave the following responses to member questions:

- The Chief Executive of the Trust had attended meetings of this committee in the past and it was likely that Cheltenham Borough Council would be included in the stakeholder engagement they were planning for the summer. It was suggested that this committee may wish to seek the views of NHS England, under the 'Getting It Right First Time' programme, which was a national programme designed to improve medical care within the NHS by reducing unwarranted variations; which it could be argued this was.
- It was likely that the Trust would have concluded stakeholder engagement by the end of July and as such an August meeting would be too late.
- REACH (Restore Emergency at Cheltenham Hospital), the local community campaign group, had no legal powers, but rather raised funds and informed public opinion. He was not privy to what this groups plans were in relation to this matter.

Councillor Clucas, the Cabinet Member Healthy Lifestyles had attended a meeting of REACH where members of the group had considered information from Doctors that suggested measures, in line with Option 2, were already being put in place. Alex Chalk, MP, had committed to raising this with the Trust and in light of this information, REACH were undertaking to raise funds for a possible Judicial Review, which would be very costly.

7. CABINET BRIEFING

The Leader referenced the response from Gloucestershire County Council (GCC) with regard to the concerns that had been expressed regarding the new health and care scrutiny arrangements, which had been emailed to members of the committee. The GCC had committed to holding at least two joint meetings of the Health Scrutiny Committee and Adult Social Care & Communities Scrutiny Committee each year, and were planning to undertake a review of the new arrangements after 12 months; which the Leader felt represented a positive outcome.

He had read in the press that GCC income from parking fines had increased from £800k to £1.3m and had contacted the relevant Cabinet Member for details of how this additional income had or would be spent. He had not yet received a formal response but believed that a large amount had been used as part of the mitigation measures on Clarence Street.

8. UPDATES FROM SCRUTINY TASK GROUPS

There were none.

9. JAZZ FESTIVAL 2019

The committee were advised that Ian George, Director of Festivals at Cheltenham Festivals was not able to attend as the meeting had not been

formally scheduled in his diary; and given the start of the science festival that day was unable to attend. Officers would provide him with notes on the discussion and ask that responses be forwarded to the committee, as necessary.

Adam Reynolds, the Green Space Manager, advised members that a number of complaints had been received during set-up of the 2019 Jazz Festival. The complaints centred on the construction space that had been fenced off from the public, which was effectively the entire arboretum and parts of the Broad Walk. He explained that this went against a long established protocol and land agreement between Cheltenham Festivals (CF) and Cheltenham Borough Council (CBC) and therefore, as soon as it was brought to the attention of CBC, CF were asked to reduce fencing immediately. However, with construction already underway, CF felt that this would compromise the safety of the site and as such CBC agreed, albeit reluctantly, for some fencing to remain for the remainder of the construction period. CF also committed to returning the arboretum area to public use within two days of the end of the festival, which it did. It was noted at this point that CF were delivering a new layout, having redesigned the Jazz village, following feedback from the Gardens' Forum.

The committee were informed that a meeting had been scheduled with CF (18/06) to formally review and address this issue and emphasise the need to preserve areas for public recreation in future years, as set-out in the protocol. In addition to this, Officers would take the opportunity to raise the issue of construction dates, with a request that in future, bank holidays be avoided wherever possible, and; the need to improved communication to local residents and park users about access during construction.

The Green Space Manager gave the following responses to member questions:

- CBC staff routinely undertook site visits but he accepted the suggestion that perhaps someone should be there immediately prior to construction commencing.
- In previous years this event had been covered by the license held by CBC, but given the scale of the event, this year, CF had applied for and been granted a license, encompassing the entire site and all activities.
- Fencing off public access was contrary to the spirit of the 2013 planning consent and was not permitted under the terms of the land use agreement between CBC and CF, but Officers were confident that mechanisms could be put in place which would ensure that the risk of similar issues arising in the future were minimised.
- It was suggested that replacing the reverse beeper with a white sound reverse alarm was easily achievable and would go some way to reducing some of the disturbance experienced by residents. This had already been raised with CF for consideration, as well as with the organisers of the Food Festival.
- There had indeed been instances of noise levels spiking during the course of the 2019 festival, which some could argue was inevitable. Therefore, the issue was rather how CF had dealt with these instances and how quickly and the Gardens' Forum would be considering a full report on this issue when they next met. It was noted that Environmental Health were keen to add to the land agreement that CBC and CF had in place.

The Chairman joined members in commending the Green Space Manager for the paper that he had produced and thanked him for his attendance.

The Chairman took the opportunity to raise the issue of events, which had been touched on at the last meeting and suggested that the committee may wish to formally agree to establish a task group. In his mind there would be three strands: the Jazz Festival; how are residents made aware of upcoming events in their area, and; review of the council's strategy for increased commercialisation of the parks.

Councillor Parsons felt that a fourth strand of any review should relate to member involvement and expressed his wish to be involved in any such task group.

The Planning Director advised the committee that an Events Manager, Jessica Goodwin, had recently been appointed and tasked taking an Events Strategy to Cabinet. She suggested that should a scrutiny task group be set up, this could inform this work.

Members agreed that the main issues in terms of events were those that did not require planning or licensing and were therefore held under a land use agreement, which often left ward councillors and residents with little or no advance notice.

The Democracy Officer would meet with relevant officers, as well as the Chairman to discuss the proposal further, and aim to table something with the committee for consideration at the next meeting (1 July).

10. STRAND AND CAMBRAY PLACE IMPROVEMENTS - PROJECT INITIATION DOCUMENT

Ken Dale, the Interim Townscape Manager wished to provide an update on the project given the progress that had been made since his last update, in January. Most significantly, the overall approach had changed, with focus moving from Boots Corner, instead to the Strand and Cambray Place (as shown on the map at Appendix A), an area which required the most improvement in terms of safety and drainage, as well as visually. Key points within the update included:

- There had been a question mark as to whether the government moratorium on the design of new shared space applied to the Strand and Cambray Place, but Gloucestershire County Council (GCC) had now confirmed that this was not in fact the case and as such, the project was now able to progress.
- The Lead Contractor, Wilmott Dixon, had been appointed and an external Project Manager, along with a Quantity Surveyor, would be appointed soon.
- The committee were reminded that GCC were part funding the project, with £1m over four years and were fundamental to the success of the project as the Highways Authority.
- A small contribution to the cost of the project had been secured from the European Regional Development Fund by way of match funding for the bio-diversity to be introduced.

- Part of the learning following phase one (Rodney Road and Cambray Place) of the project, had been the need to liaise more closely with utilities companies.
- A Stakeholder Group had been established, which included, businesses, Task Force and GCC, amongst others and was being supported by the BID.
- Regular consultation would take place with the Accessibility Forum.
- The contactors were aware of the ambition to be on site by autumn and with this in mind, time was of the essence. There are several risks which could delay the beginning of works.

The following responses were given to member questions:

- The Regent Arcade were not local to the area included in this phase, but had been included in the Stakeholder Group at the request of the BID.
- Discussions with Ubico in relation to maintenance and cleansing were ongoing.
- The Interim Townscape Manager had recently written an article for the BID newsletter regarding the works in the hope of getting buy-in and support from businesses.
- The area that had been unreachable in the works undertaken during 2018 (due to scaffold) would be revisited and the owners would pay the additional costs incurred as a result of having to return, and undo some elements which had already been completed. The standard of finishes from the previous improvements would be replicated in this phase.
- Cycling safety on Bath Road was an issue for GCC as the Highways Agency.
- Safety issues in terms of bollards, was something that was being considered but would require more research.
- Cheltenham benefited from parks and gardens across the town but there was less in the Town Centre and the funding from Europe would be used to create elements of biodiversity in this area.
- There was no guarantee that GCC would never again use tarmac to undertake repairs, but it was suggested that these would only ever be temporary and to this end GCC would be provided with a store of materials.
- The Leader advised the committee that in the region of 94 agencies had the right to dig up the high street, that his understanding of the law was that these agencies then had 6 months to reinstate and it would be for the Highways Authority to enforce this. Officers were not aware of any powers held by CBC to force utilities companies to move services into a shared conduit.
- A Stakeholder Group would be set-up for the Boots Corner phase of works, but only once any detailed design work had been begun, and this would likely be next year (2020).
- Some semi-mature trees would be used but when these were actually planted would depend on the time of year and conditions.

11. CONNECTING CHELTENHAM

Ken Dale, Interim Townscape Manager, explained that there was a need for a transport strategy that aligned with the Place Strategy and that this document would form part of the council's contribution to Gloucestershire County Council's (GCC) countywide review of the Local Transport Plan.

To this end, Cheltenham Borough Council (CBC) had engaged Systra to produce a transport vision and practical proposals. Systra had undertaken a number of major events with various stakeholders, including members, and the data had been collated and was currently being reviewed by Cabinet and Officers. The suggestion was that the Systra document could be considered by the committee at the September meeting (9 September), before it was taken to Cabinet in October.

A number of members made suggestions and comments, all of which the Interim Townscape Manager advised had been previously been raised and had or were in the process of being discussed. He fully accepted that in terms of implementation, there were a number of bodies on which CBC were reliant, but members could be reassured that the Systra document would highlight such issues and set-out practical solutions.

He disagreed with a member that suggested that Systra had taken a generic approach that was not Cheltenham specific, and gave assurances that they had in fact looked very closely at Cheltenham and similar areas. He hoped that members would see this as an opportunity to set the Cheltenham Transport Plan in the wider context of a strategy.

The Systra document would cover the benefits of public transport in terms of air quality and would likely make suggestions about how buses linked into key interchanges, as well as identifying areas where uptake of public transport was lowest.

The committee were in agreement that the Systra document should come to the committee prior to Cabinet, but the lead members would need to give further consideration to the September agenda.

In response to the suggestion that a special meeting be arranged for August, the Interim Townscape Manager would raise the possibility with the relevant parties and feedback to the Democracy Officer as necessary. Delaying the committee's scrutiny beyond September would threaten the timeliness of CBC's contribution to the countywide Local Transport Plan.

12. REVIEW OF SCRUTINY WORKPLAN

The Systra report would be scheduled on the work plan for the September meeting, though further consideration would be given to whether a special meeting was required/possible in August.

The lead members, Councillors Mason (Chair), Sudbury (Vice-Chair) and Payne, would discuss and agree and approach to the September meeting, given that a number of important items were already scheduled for consideration.

13. LOCAL GOVERNMENT ACT 1972 - EXEMPT INFORMATION

Upon a vote it was unanimously

RESOLVED that in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraph 3, Part (1) Schedule (12A) Local Government Act 1972, namely:

Paragraph 3; Information relating to the financial or business affairs of any particular person (including the authority holding that information)

14. LEISURE AND CULTURAL SERVICES

The committee received a presentation on Leisure and Cultural Services.

15. DATE OF NEXT MEETING

The next meeting was scheduled for Monday 1 July 2019.

Chris Mason
Chairman

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