

## Council

**Monday, 10th October, 2011  
2.30 - 7.10 pm**

<b>Attendees</b>	
<b>Councillors:</b>	Barbara Driver (Chair), Anne Regan, Garth Barnes, Ian Bickerton, Chris Coleman, Tim Cooper, Jacky Fletcher, Wendy Flynn, Rob Garnham, Les Godwin, Penny Hall, Colin Hay (Vice-Chair), Rowena Hay, Diane Hibbert, Sandra Holliday, Peter Jeffries, Steve Jordan, Robin MacDonald, Paul Massey, Helena McCloskey, Andrew McKinlay, Heather McLain, Paul McLain, John Rawson, Diggory Seacome, Malcolm Stennett, Charles Stewart, Klara Sudbury, Lloyd Surgenor, Jo Teakle, Pat Thornton, Jon Walklett, Andrew Wall, John Webster, Paul Wheeldon, Simon Wheeler and Roger Whyborn

## Minutes

### 1. PRAYERS

Reverend Tim Mayfield opened the meeting with a prayer.

### 2. APOLOGIES

Apologies had been received from Councillors Smith, Fisher and Britter.

### 3. DECLARATIONS OF INTEREST

The Mayor invited the Borough Solicitor to give some advice mainly for the benefit of Planning Committee members in connection with items 9 (Starevhall Farm petition) and item 16 (North Place and Portland Street).

The Borough Solicitor advised Planning Committee members that they were entitled to participate in the debate but there was a need for them to approach any future applications relating to Starvehall Farm and North Place and Portland Street with an open mind.

No interests were declared.

### 4. TO APPROVE AND CONFIRM THE MINUTES OF THE MEETING HELD ON THE 27 JUNE 2011

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 27 June 2011 be agreed and signed as an accurate record.**

### 5. PUBLIC QUESTIONS

No public questions were received.

**6. COMMUNICATIONS BY THE MAYOR**

The Mayor called for all members to stand for a minutes silence in memory of Amanda James, Elections Manager who had been with the Council since 1990, Ian Williams who had worked as a Visiting Officer in revenues for more than 20 years and Wendy Stanton, a cleaner at the Municipal Offices who had all passed away recently.

She had been asked to mention the Prestbury Memorial which she had been shocked and appalled to learn had fallen victim to vandalism.

She passed on the thanks of Tony Mason, who, on behalf of the Cheltenham Branch of the Royal Air Force, had written to thank the Aldermen and Councillors who had supported the Battle of Britain commemoration. He had commented that such a demonstration of civic support was deeply appreciated by all ages and ranks.

As part of Nightstops ten year celebrations, the Mayor had met with some Cheltenham based host families, whom she had thanked on behalf of the people of Cheltenham for the support they offer to homeless people.

She reminded members about the mock debate with sixth formers from a local school which was scheduled to take place in the Council Chamber at 10am the following day (Tuesday 11 October).

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

For those colleagues that were not aware, the Leader confirmed that he had been notified by Gloucestershire County Council that the A4019 bridge would be shut for repair as it was in a potentially dangerous state. The current indication was that the bridge would be closed for one year from March 2012 and whilst he accepted that the repairs were wholly necessary he was concerned about the impact this would have on the town and the disruption that a year long closure would cause.

A response to the National Planning Policy Framework would be sent this week and whilst Cabinet felt that it was not practicable to set up a group as proposed by the Planning Committee, the letter that had been drafted did cover the comments made by that committee.

He echoed the sentiments of the Mayor in acknowledging the sad loss of staff recently, in particular, Amanda James, Elections Manager, who he worked with closely over the years in his role as an Election Agent. Her hard work and commitment to make 'every vote count' would be a great loss to the Council.

**8. MEMBER QUESTIONS**

The following responses were given to the member questions received.

<b>1. Question from Councillor Smith to Cabinet Member Sustainability</b>
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	<p>Given the financial mess he has created by introducing his brown bin recycling scheme for green waste,</p> <p>(i) Will the cabinet member give his word that he will not try to introduce any further stealth charges for recyclables, either by charging for additional bins or bags or by sending the public to facilities where they would be charged</p> <p>(ii) Will he specifically confirm that he will retain free recycling of green waste and other recyclables for members of the public who wish to take their own waste to the Cheltenham depot</p> <p>(iii) Will he confirm that he will resist any attempt to put financial or other barriers in the way of Cheltenham residents who wish to continue to recycle</p>
	<p><b>Response from Cabinet Member Sustainability</b></p>
	<p>I do not accept the brown bin scheme is a mess, it is more than covering its costs, and had the administration retained the previous scheme, it would have cost the Cheltenham tax payer over £400,000 compared to the new scheme. The Council is working on various approaches to further increase take up of the new scheme.</p> <p>The questioner will know well that the annual local government settlement from central government never keeps pace with cost inflation. Further, the precise details of this year's settlement are not yet known. Given the ongoing need, year on year, to close this gap through the 'bridging the gap' process, I cannot give the sort of detailed open-ended assurances he seeks. I can however say that the regulations greatly limit the range of waste for which charging is permitted.</p> <p>All options are currently being examined, with a view to promoting those which maximise both recycling rates and minimise the burden on Council tax. I can also say that I envisage re-invoking the member working group on waste in the implementation of new schemes, e.g. for bagged waste, noting that those on this cross-party group have agreed that it has been very helpful.</p>
<p><b>2.</b></p>	<p><b>Question from Councillor Smith to Cabinet Member Sustainability</b></p>
	<p>Can the cabinet member confirm if he will be taking up the government's offer to fund the re-introduction of weekly refuse collection?</p>
	<p><b>Response from Cabinet Member Sustainability</b></p>
	<p>Full details of the offer are not yet known, but based on all we know so far, I have no intention of re-introducing weekly collections of <u>residual</u> waste.</p> <p>It is our experience that the recent introduction of <u>weekly food waste</u> collections, by this administration, combined with alternate weekly collections of refuse with dry re-cyclate has enabled recycling rates to increase from 35% to 50% in the first quarter of 2011/12. Moreover the new scheme has proved very popular with the public, with few reported</p>

complaints, and many plaudits. All the major increases in recycling figures have happened under Liberal Democrat administrations. It is also saving the local taxpayer approximately £500,000 per year in Landfill tax, though much of that net benefit flows to the County Council not the Borough. In short the new scheme has been a huge success, for which this council should be very proud, and upon which its officers have worked very hard and to great effect.
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In the absence of the questioner, Councillor Smith, the questions were read by Councillor Seacome and the responses by the Cabinet Member Sustainability and there were no supplementary questions.

**9. PETITION REGARDING STARVEHALL FARM AND PLAYING FIELDS**

The Mayor referred members to Appendix 1 which set out the process for dealing with petitions at Council. She invited Councillor Hibbert, as petition organiser, to present the petition;

“We the undersigned petition Cheltenham Borough Council as follows: We wish the protection you have afforded Starvehall Farm and the recreation land adjacent to Prestbury Parish Council playing field in the local plan that ends in 2011 be included in the new Local Development Framework currently being developed”.

In her statement, Councillor Hibbert attributed the fact that the petition had in excess of 1700 signature,s to it being a vital open space to the communities which it separated, Oakley, Pittville and Prestbury.

In 2006, the Council found sufficient reason to afford the site protection, which the community were calling for again. She had attended a number of seminars recently at which it had been suggested that the number of new homes needed was being drastically exaggerated in the context of the economic climate.

In summary, she asked that Council consider whether housing needs could be met without surrendering Starvehall Farm and Playing Fields, taking account of the fact that local Schools were at full capacity and the NHS and Police resources were stretched in this area already. She welcomed the Officers comments on the environmental implications.

In response to a question from another member, the Leader confirmed that matters had progressed since the report was compiled and as such the issue would now be considered by the Planning Committee at their meeting on the 17 November.

The Mayor invited the Leader as the Cabinet Member whose portfolio was most relevant to the petition to speak on the subject of the petition.

The Leader understood the concerns of those that had organised and signed the petition. This was an important site but stressed Council could not assume the role of the Planning Committee.

In respect of the land at Starvehall Farm, no designation of this area was made by the Local Plan which had a plan end date of 2011. He reminded members

that all plan policies would be retained until replaced by the current Local Development Framework arrangements or its prospective successor.

He agreed with the issue raised about housing numbers and emphasised the difficulty associated with projecting needs 20 years in advance and he hoped that numbers would be included in the consultation as they would be key to the entire process.

The Leader hoped that colleagues would support the resolution set out in the report.

In response to a question, the Leader reiterated that all plan policies would be retained until replaced by the current Local Development Framework arrangements or its prospective successor. Cheltenham was however, in a stronger position than other areas to have its Local Plan upheld given that it was fairly modern (2006). A sentiment reaffirmed by a recent planning review which had commented that the Council had a good Local Plan.

Upon a vote it was unanimously

**RESOLVED that officers consider the issues raised by the petition as part of the Local Development Framework or the new Cheltenham Local Plan.**

#### **10. REVIEW OF THE CONSTITUTION**

The Cabinet Member Corporate Services introduced the report which had been circulated with the agenda. He explained that there had been an aim across the four authorities in the GO project to agree a common set of financial rules which would be a cheaper and more effective approach. He commended officers for the great job they had done in achieving this. He highlighted the reference to the strategic cross party member working group in paragraph 4.4. The consideration of the best way to scrutinise commissioning was now part of the scrutiny review and likewise the review of the overall commissioning plan was being carried out by the group leaders on a regular basis. Therefore he considered the strategic cross party member working group had done its job and could now be disbanded. He indicated that Cabinet portfolios in appendix 2.2 were slightly out of date and these would be amended and all members made aware.

A member suggested that the designations of Cabinet Members should be listed in the appendix rather than naming individuals which would eliminate the need to change the Constitution every time the membership of the Cabinet changed. The Cabinet Member Corporate Services considered naming individuals was quite helpful and typically portfolios changed at the same time as individuals and therefore an update to the Constitution would still be necessary. He did not consider updating the Constitution was a big issue. In response to a question he acknowledged the omission of the risk of scores in the risk assessment and would ensure they were added.

The Mayor was very keen to open up the Council meeting to members of the public by enabling them to ask questions without the need for too many rules and regulations. She indicated that she had brought this idea back from her visit to Göttingen in Germany and she had discussed it with the Chief Executive

and had e-mailed Councillors Smith and Colin Hay asking them to consider it as members of the Constitution working group.

Councillor Jordan advised members that Gloucester City had been doing this for some time with a slot in their Council meeting for the public to ask questions without notification. He said there was a balance to be achieved as members may not be able to respond to unnotified questions and will only be able to supply a written response at a later date. The challenge with notified questions was to find the shortest possible time to allow for guaranteed answers to be prepared and set the deadline accordingly. This would be a reasonable matter for debate.

Another member suggested that the first challenge was to get more public attending the meeting and this could be achieved by more publicity and making the meeting more interesting.

The Cabinet Member Corporate Services agreed that the Constitution working group would consider these ideas as part of their review of the procedural rules. He was in favour of encouraging the public to attend but the council was bound by process and must consider issues of cost when considering more publicity. For example many councils webcast their meetings but this was expensive and not something that the council could afford at this time.

**Resolved unanimously that**

- 1. The Financial Rules set out at Appendix 1 be approved for implementation on 1<sup>st</sup> April 2012.**
- 2. Authority be delegated to the Director of Resources, in consultation with the Chair of Audit Committee, to make any textual or other amendments to the Financial Rules approved under paragraph 1 above, which arise from further consideration by the GO partnership and which do not materially affect the approved Rules.**
- 3. Part 3 Responsibilities for Functions set out in Appendix 2 and the Corporate Policy Table in Appendix 3 be approved in principle subject to**
  - a. Leader/Cabinet approving the Executive Functions set out in Part 3E (Appendix 2).**
  - b. Consequential amendments to be approved by Council following further consideration by the Constitution Working Group.**
- 4. The progress of the Overview and Scrutiny Review be noted and the timescales be agreed.**

## **11. STATEMENT OF ACCOUNTS**

The Chairman of the Audit Committee, Councillor Wall, explained that last year Council had delegated authority to the Audit Committee to review and approve the audited Statement of Accounts.

The Audit Committee had discussed the Statement of Accounts 2010/11 at their meeting on the 23 September and identified no issues for further investigation

and as such Councillor Wall had signed the accounts to signify their approval by the Council.

He highlighted that KPMG had described their audit of the financial statements as a 'model audit' owing to the excellent quality of the accounts and supporting papers. Staff were to be commended for this, given that this had been achieved in the first year of a new accounting system.

The Cabinet Member Corporate Services highlighted that not only had this been the first year of a new accounting system, officers had undertaken a sizeable piece of work to re-do last years accounts in order to draw comparisons, for which officers were to be congratulated.

Upon a vote it was unanimously

**RESOLVED that Council note the decision of the Audit Committee to approve the Statement of Accounts for 2010/11, including the Annual Governance Statement and note that the Chair of the Audit Committee, Councillor Wall, signed the accounts to formally signify their approval by the Council.**

## **12. REVIEW OF POLLING DISTRICTS, PLACES AND STATIONS**

The Chief Executive introduced the report which formed part of the statutory duty to review polling stations, polling districts and polling places every four years.

As a result of the consultation exercise, three changes were suggested. Two of these suggestions were being recommended for approval and were set out in the report. The third suggestion was that the Polling Station at St. Michaels Cornerstone Centre changed to either Berkhamstead School or Cheltenham Town Football Club. Given that St. Michaels Cornerstone Centre was located in the centre of the Polling District and as the Elections Office had not received any previous complaints from electors in this polling district and nor were there any records of any incidents either in or surrounding the polling station, the existing polling station would remain.

The Chief Executive noted that if approved the consultation period would continue for a further six weeks, during which time individuals would have the right to make representations to the Electoral Commission.

Upon a vote it was unanimously

**RESOLVED that the following changes to polling districts, places and stations be approved;**

**College Ward, Polling District FB – change from Naunton Park Primary School, Naunton Lane to Emmanuel Church, Fairfield Parade**

**Up Hatherley Ward, West Ward of the Parish of Up Hatherley – move Broad Oak Way and Caernarvon Close from Polling District SA to Polling District SB**

**Up Hatherley Ward, West Ward of the Parish of Up Hatherley – move 2-8 Coombe Glen Lane, Hollis Road and Hollis Gardens from Polling District SA to Polling District SC**

**Up Hatherley Ward, West Ward of the Parish of Up Hatherley – move 315 to 365 Hatherley Road from Polling District SA to Polling District SC**

**Up Hatherley Ward, West Ward of the Parish of Up Hatherley – move 15-25 and 22-36 Montgomery Road from Polling District SA to Polling District SC**

**Up Hatherley Ward, West Ward of the Parish of Up Hatherley – move 4-8 Greatfield Lane from Polling District SB to Polling District SC**

**The full list of polling districts, polling places and polling stations as set out in appendix 6 and 7 is published for a further period of six weeks, during which time individuals have the right to make representations to the Electoral Commission.**

### **13. NOTICES OF MOTION**

Councillor Bickerton, seconded by Councillor Jeffries, proposed the following motion;

*“This Council considers there are alternatives to mass incineration of domestic waste. This is mature technology which has economic advantage both in the short-term and overall life cycle costs, more environmentally friendly, and compatible with the planned future improved recycling rates across the County.*

*The Council requests of Gloucestershire County Council, as part of the Waste Management Strategy of reducing Landfill, that alternative UK waste technologies are considered in detail along with the existing incinerator schemes being put forward for Javelin Park/Haresfield.”*

Councillor Bickerton, as proposer of the motion, felt that there were three key elements for consideration in opting for any form of waste scheme namely economics, environment and health.

The Government’s Review of Waste Policy 2011 by DEFRA which was guided by what he described as a waste hierarchy, with prevention at the top, followed by, reuse, recycling and incineration. He did not consider burning waste to avoid landfill a very green policy, reporting that the UK burned a relatively small amount in comparison to other EU countries, just 9% at present.

The evidence of the medical hazards of incineration were getting harder to ignore. During his research of the issue he had considered several reports, including the 1996 Elliot publication, an extensive piece of work which collected data on all cancer patients within a 3km radius of 20 of the 72 incinerator sites – 14 million people. The research showed a 5-8% increase in risk of cancer near incinerator sites, which equated to over 11,000 cancer deaths a year.

He also read an extract from a fairly recent comprehensive report on The Health Effects of Waste Incinerators, 4th report of the British Society for Ecological Medicine, 2nd edition, June 2008, Dr Jeremy Thompson and Dr Honor Anthony (71pp)



*“Since the publication of this report, important new data has been published strengthening the evidence that fine particulate pollution plays an important role in both cardiovascular and cerebrovascular mortality and demonstrating that the danger is greater than previously realised. More data has also been released on the dangers to health of ultrafine particulates and about the risks of other pollutants released from incinerators. With each publication the hazards of incineration are becoming more obvious and more difficult to ignore.”*

Councillor Bickerton said he understood the importance of getting the economics of any waste strategy correct, but there was a need to protect public health and the environment.

Councillor Jeffries, as seconder of the motion, was invited to speak in support but had nothing further to add.

Councillor Whyborn, seconded by Councillor Wheeldon, proposed an amendment to add a third paragraph to the motion:

*“Therefore Cheltenham Borough Council calls upon Gloucestershire County Council, to pause on the selection of incinerator schemes, until other processes have been fully evaluated in terms of their economic, health and environmental impact, and that these process comparisons must be objectively demonstrated, scrutinised and debated in public.”*

Councillor Bickerton accepted the amendment and this became the substantive motion.

Councillor Godwin said that the wording of the motion gave the impression that the county council had not carried out an evaluation on the alternative options and asked for clarity on this matter.

It was noted that this question should be answered by the proposer of the motion at the end of the debate.

Speaking in support of the motion, the Cabinet Member Sustainability said that he had wrestled with the issue for some time and had not wanted to give his view until he had gathered evidence on a viable alternative. He had now visited the Mechanical Biological Treatment (MBT) plant at Avon which consisted of sorting technology followed by composting technology and a refused derived fuel which resulted in far less residual waste than incineration. He acknowledged the public concerns about incineration on the grounds of health especially but also the public had concerns about the cost and on environmental grounds. He was concerned about the secrecy of the County Council in publishing their findings on appraisals of alternatives which had made a meaningful public debate impossible. He felt that there should be a proper, informed and public debate on all the viable process options before the County Council went ahead with the £500 M purchase of the incinerator. If recycling was to increase in the future and residual waste reduced then the incineration may become uneconomic. For the collection authority smaller local plants which minimise lengths of journeys may be more favourable. He felt there should be a challenge to the County’s Technology neutral approach as there was great public interest in the choice of technology.

Speaking against the motion, members made a number of points.

- The motion was not clear as it did not detail the alternative options for consideration.
- As a member of the county council, Councillor McLain said that a full evaluation had been done and there had been a technology neutral procurement process.
- The motion was three years out of date and any review at this stage would be costly and the county council may have to pay compensation to the contractor and continue to pay higher landfill charges.
- Cheltenham Borough Council had been given extensive opportunities to comment on the scheme but the Cabinet Member Sustainability had chosen to write a letter to the county council rather than make a formal reply to the consultation.
- Any alternative technologies such as mechanical biological treatment (MBT) still resulted in residual waste which had to be disposed of.
- The county council had had expert advice from Professor Harrison.
- It was disingenuous to raise health scares based on spurious research on Google.
- The contract allowed for flexibility should recycling rate increase in the future.
- If members opposing the proposals wanted smaller residual waste sites, it would be difficult to identify potential sites within the urban conurbation of Cheltenham.

Other members highlighted that it was a long process and it was never too late to stop and review something that was a matter of great public concern. Indeed new technologies may have arisen during the course of this process which now needed to be looked at and there were good examples at Swindon and other councils in the South West which could be studied. The county council appeared to be focusing too much on the financial aspects of the decision and playing down the health and environmental issues.

Councillor Hall, speaking as the Chair of the Environment Overview and Scrutiny Committee expressed her disappointment that at no point had any concerns been raised with the committee by the Cabinet Member Sustainability or any other members. It would have enabled the issue to be reviewed in a non political environment.

Regarding the consultation, the Leader advised that the council had tried to work closely with the county council but this was difficult as the county council had refused to share any details of the contract with district councils. Consequently the council had responded to the county on the location of waste sites but had made it clear that they did not have the details to respond on methods. He hoped there could now be a more public debate on this issue.

In his summing up as proposer of the motion, Councillor Bickerton disputed that any of the research he had referred to could be classed as "spurious" and was all from well respected sources. In response to the earlier question from Councillor Godwin, he said that the alternatives had not been investigated correctly and the county council should look closely at what was happening in

the South West. In terms of the economics, he advised that a UK government WRAP report, August 2008 found that in the UK, median incinerator costs per ton were generally higher than those for MBT treatments by £18 per metric ton; and £27 per metric ton for most modern (post 2000) incinerators.

He urged members to consider the health impact on the residents near the proposed sites of incinerators and support the motion.

**Upon a vote on the motion as amended it was CARRIED.**

(Voting: For 24, Against 8 with 4 abstentions)

**14. TO RECEIVE PETITIONS**

No petitions were received.

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

There was one additional urgent item which featured on the agenda as Item 19 (Local Government (Discretionary Payments) Regulations 1996).

**16. NORTH PLACE AND PORTLAND STREET - PROGRESS UPDATE**

The Mayor invited Jeremy Williamson, the Managing Director of the Cheltenham Development Task Force to make his presentation.

Jeremy Williamson advised that the presentation was in two halves, the first half would be open to the public but the second half would need to be taken in exempt session given the financial and commercially sensitive content. The public would be permitted to return to the chamber for the debate.

He apologised on behalf of Graham Garbutt, the Independent Chair of the Advisory Board, who had hoped to attend but was unable to for medical reasons.

He introduced the presentation (see attached) and highlighted that the number of residential properties referred to in the presentation, 122, differed from the 130 referenced within the report that was circulated in advance of the meeting. This was a consequence of the decision to create more houses and less apartments.

The following responses were given by Jeremy Williamson to questions from members;

- Construction time would be 18 months.
- Diverts to alternative parking would be in place but there were no funds for an electronic signage system.
- Cosmetic improvements could be made to the Grosvenor Terrace car park, though this would require funding.
- The revised development brief for this site was approved by Council in December 2010. The brief allowed for uses including residential, commercial and/or leisure and therefore did not exclude a hotel or food store.

- It would be for the Planning Committee to undertake an Impact Assessment in determining whether there was a need for a hotel and ultimately the planning application.
- The level of response to the consultation (168 of a possible 120,000 residents) was an unfortunate reality of any such consultation. Key issues had been identified as a result of the exercise which would be addressed by the applicant. There would be further consultation at the appropriate time.
- An option for underground/croft parking was included in the development brief but not stipulated. The proposed scheme did include residential under-croft parking.
- An exact figure for those against the proposal for a food store would be made available to Councillor Godwin outside of the meeting.

The Mayor moved a resolution and it was;

**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)**

Members of the public were ushered from the public gallery.

Jeremy Williamson talked through the slides of the presentation which contained financial and commercially sensitive information and answered questions relating to this information.

Once discussion had concluded, members of the public were welcomed back to the Chamber.

The Mayor addressed the public and explained that she had been contacted by members of the public who were under the impression that this item would go before Council in November.

Whilst she understood their concern about the change of date, this item was simply giving Council an opportunity to make its views known to the Cabinet in advance of them making a decision on Tuesday 18 October. She reassured members of the public that they were able to put questions to the Cabinet. Members called for the deadline to be extended from 10am on Tuesday 11 October to 10am on Thursday 13 October. This was agreed and would be publicised on the website.

Those speaking in defence of the scheme had been impressed with the process thus far and urged those with concerns to consider the bigger picture and accept that there would be elements of any scheme that some people would not fully support.

Councillor Wheeldon spoke as the Ward Councillor for the St. Pauls area and as a resident of Cheltenham, living within 300 metres of the site. The majority of residents within his Ward had welcomed the inclusion of a food store and personally, he was delighted that the new homes would be constructed to code 4 sustainability, resulting in utility bills 30-40% lower than average. He put forward Crabtree Place as a short term parking solution and queried whether parking at the Prince of Wales Stadium could be considered as a long term solution.

The Leader apologised to the public for any confusion regarding the date on which this item would come before Council. The decision was for Cabinet but given the magnitude of the decision it was important that Council were in agreement. Ultimately the Council could only proceed with something that a developer was willing to deliver and Council had agreed the scheme brief in December. This was not to say that the Planning Committee did not have a role to play.

The Cabinet Member Built Environment thanked his Council colleagues for what had been a generally positive discussion and welcomed the acknowledgement of some members that there were many varying aspirations for the site, which included concert halls, ice rinks, etc. He accepted that there were concerns, including those legitimate concerns of residents in close proximity to the site about short and long term parking solutions.

Upon a vote it was unanimously

**RESOLVED that Council recommend to Cabinet that it should appoint Augur Buchler Partners Limited as the preferred bidder to undertake the redevelopment of North Place and Portland Street sites.**

**17. LOCAL GOVERNMENT ACT 1972 -EXEMPT INFORMATION**

The Council was recommended to approve the resolution as set out on the agenda.

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)

Members of the public were asked to vacate the gallery.

**18. TREASURY MANAGEMENT ISSUE**

The Chief Executive introduced the exempt report which had been circulated with the agenda. The report asked Council to note a decision that the Chief Executive had taken on a financial matter following the urgency procedures set out in Rule 4 of the Council's Constitution.

**Resolved to note the report.**

**19. REQUEST FOR DISCRETIONARY ALLOWANCE UNDER THE LOCAL GOVERNMENT (DISCRETIONARY PAYMENTS) REGULATIONS 1996**

The Director of Human Resources and Organisational Development provided members with a verbal briefing update on the developments regarding the discretionary payment to a former employee of the council. Members were given the opportunity to ask questions on the information they had been given.

The Director of Human Resources and Organisational Development undertook to provide appropriate briefings as required.

Barbara Driver  
**Chair**