

Cabinet

9 July 2019

Member Questions (5) and Supplementary Questions (4)

1.	Question from Councillor David Willingham to Cabinet Member Finance, Councillor Rowena Hay
	<p>In my role as one of Cheltenham Borough Council's appointed conservators/trustees on Cleeve Common Trust (formerly known as the Conservators), it has been brought to my attention that under the Commons Regulation (Cleeve) Provisional Order Confirmation Act of 1890, this council has a responsibility to make a financial contribution to the Conservators. In that Act, it states "<i>That the expenses incurred by the Conservators in the execution of their powers and duties shall be defrayed by means of – 1 The annual contribution of £50 as aforesaid by the Corporation of Cheltenham.</i>" While Cleeve Common is no longer within the municipal boundaries of Cheltenham, the responsibilities of the Corporation of Cheltenham were transferred to Cheltenham Borough Council and our Borough Council still nominates three Conservators just as it has done since the Town Improvement Committee first did so when they met on Friday 24th October 1890. While the Act does not specify that the £50 annual contribution should be revalued in line with inflation, according to the Bank of England calculator, if it had been, the amount now payable would be around £6,300. However, currently the Borough Council does not make any financial contribution. Given the benefits that Cleeve Common provides to the people of Cheltenham, being a fantastic piece of green space in the Cotswolds AONB that is very accessible to residents of out town, the nearly 130 years of history between Cheltenham and Cleeve Common, and the role protecting green spaces plays in tackling climate change, would the Cabinet Member for Finance be willing investigate and consider adding an annual funding line to the Council's budget to provide some meaningful level of on-going financial support to the Cleeve Common Trust and to help safeguard this wonderful natural resource for subsequent generations?</p>
	Response from Cabinet Member
	<p>I agree with Councillor Willingham's sentiments with regards to Cleeve Common it is indeed a fabulous place to visit which I personally do frequently to walk with my dogs and family, along with many others from Cheltenham.</p> <p>The board of trustees do an amazing job in keeping this beautiful space open and accessible to the public at large together with the important conservation work they carry out.</p> <p>I can assure you that the annual £50 contribution as specified in the 1890 act will be reinstated and backdated.</p> <p>With your suggestion to give further consideration as to how any other support could be given, I would be happy to ensure this is further discussed during the annual budget setting process.</p>
	Supplementary Question from Councillor David Willingham to Cabinet Member Finance, Rowena Hay
	<p>In a supplementary question, and in his capacity as one of the council's trustees on the Cleeve Common Trust, Councillor Willingham requested that the council ensure that funding decisions are approached with the specific priorities of helping</p>

	Cheltenham residents and ensuring value for money.
	Response from Cabinet Member
	In response, the Cabinet Member Finance reiterated the final paragraph of initial response, and agreed that the council needed to take this into account.
2.	Question from Councillor David Willingham to Cabinet Member Finance, Councillor Rowena Hay
	The report into current s106 funding suggests that there is currently just over £39,000 available for public art in St Peter's ward (lines DEV110 and DEV113). The linked article in the IET's Engineering and Technology Journal (https://eandt.theiet.org/content/articles/2017/04/breathe-easy-inspired-ideas-for-purer-air-in-cities/) contains a number of air-cleaning technologies, such as Green City Solutions City Tree (https://greencitysolutions.de/en/) and a solar-activated, pollution-removing, titanium dioxide paint, both of which could be used to implement "functional public art". In light of the fact that our Council has rightly declared a climate emergency, could I get an assurance that when looking at how spend this money, consideration will actively be given to installing "functional public art", that not just benefits an area aesthetically, but also benefits it environmentally (for example by removing common pollutants like oxides of nitrogen and microscopic particulates, or by sequestration of carbon dioxide)?
	Response from Cabinet Member
	<p>Thanks to Councillor Willingham for his question and suggestion whilst I am not able to give a categoric assurance I do agree that public art should be aesthetically attractive and or functional where practical and possible. I understand that your suggestion was presented to the Public Art Panel as a potential theme for a project using the funding from the St Peters area, as I am not a member of the panel I am unable to tell you the outcome.</p> <p>I thought it may be helpful to set out the detail of allocated Public Art funding,</p> <p>DEV110 – Spirax S106 - £1,250 has been spent on developing a Honeybourne Line public art strategy to assist in allocating funding to appropriate projects.</p> <p>DEV110 – Spirax S106 - £10,000 has been spent on the Cheltenham Paint Festival and Paint Jams events from 2016 to 2019. This only funded the festival sites on the Honeybourne Line (St Georges Road underpasses and metal bridge panels)</p> <p>DEV110 – Spirax S106 - £3,750 has been allocated to a artistic community engagement project which will help levy other funding for public art projects on the Honeybourne Line. The feasibility of this project is still being investigated. Attached is the draft proposal. The Climate emergency theme can be added to this project for the community to take ownership of and deliver some outcomes.</p> <p>DEV113 – Travis S106 - £30,000 has only just been released by the developer and has been allocated to the celebrating women project. Other funding in this area DEV108 - St Croix (Tesco) Queens Road S106 - £1,500 has been allocated to the celebrating women project.</p> <p>I can give assurance that I will refer your question to the cabinet member responsible for public art.</p>
	Supplementary Question from Councillor David Willingham to Cabinet Member Finance, Rowena Hay
	In a supplementary question, Councillor Willingham questioned the perceived lack

	<p>of transparency on the Public Art Panel with regard to the Celebrating Women project, and reiterated the need to talk to members of the public. He emphasised the importance of public art fitting with the principles of the Council's Climate Change strategy, such as air quality and a reduced carbon footprint, as well as the usual principles of functional public art.</p>
	Response from Cabinet Member
	<p>The Public Arts Panel is an advisory body and as such does not make decisions in its own right. Not all money for public art will necessarily be spent in the intended ward, and surplus funds could be used on public art elsewhere.</p>
3.	Question from Councillor David Willingham to Cabinet Member Clean and Green Environment, Councillor Chris Coleman
	<p>Agenda item 9:</p> <p>In answer to the question "What could you do differently to benefit this group?", the Equality Impact Assessment for this proposal states "Ensure the community partnership scheme engages with a variety of businesses to provide choice for the user" for every protected characteristic. For some protected characteristics such as sex, gender reassignment, disability and pregnancy & maternity, the provision of toilet facilities is a very important and sometimes emotive subject, whereas toilet provision seems unlikely to generate significant equality issues associated with marriage or civil partnership. This gives me a concern that the full equalities considerations may not have been gone through in sufficient depth in respect of those protected characteristics for whom toilet provision and toilet facilities <i>really</i> matter. Could I please get an assurance that in considering future public convenience provision in our town, a thorough, individual and carefully considered equality impact assessment will be carried out and published for each different protected characteristics?</p>
	Response from Cabinet Member
	<p>This initial Equalities Impact Assessment is based on the proposal to undertake consultation around a community partnership scheme and is a high level assessment at this stage. A more detailed assessment will be made once more specific proposals have been worked up following consultation which will address the concerns raised.</p>
	Supplementary Question from Councillor David Willingham to Cabinet Member Finance, Rowena Hay
	<p>In a supplementary question Councillor Willingham emphasised the importance of clarity and decisiveness on equalities issues, particularly relating to disability and gender.</p>
	Response from Cabinet Member
	<p>This was supported by the Cabinet Member.</p>
4.	Question from Councillor David Willingham to Cabinet Member Clean and Green Environment, Councillor Chris Coleman
	<p>Agenda item 9:</p> <p>In the development of the future policy on this, can I please get an assurance that the council's Geographic Information System (GIS) mapping will be used to try to ensure that the spatial distribution of toilets meets the needs of users, and to try to identify and seek to resolve areas identified as not-spots, where there is a lack of provision?</p>
	Response from Cabinet Member
	<p>In reviewing future toilet provision, the aim of the review is to provide better access to toilets across the town and location will be a critical factor in delivering a</p>

	better service. As such, officers will endeavour to find a solution which provides good coverage for users across the town.
5.	Question from Councillor David Willingham to Cabinet Member Clean and Green Environment, Councillor Chris Coleman
	Agenda item 9: In the development of the future policy on this, can I please request that the temporal variance of public toilet provision is fully considered to ensure that those enjoying or working in Cheltenham's award-winning night-time economy, have access to adequate toilet provision?
	Response from Cabinet Member
	The review is aiming to increase access to toilets beyond the current opening times of the council's toilets by exploring a community partnership scheme which would allow access to business premises e.g. shops, cafes, restaurants and pubs during their typically longer opening hours which will support the night time economy. Officers will ensure that any specific night time economy issues are taken into account.
	Supplementary Question from Councillor David Willingham to Cabinet Member Finance, Rowena Hay
	In a supplementary question Councillor Willingham recognised the success of Cheltenham's night-time economy but asked that the Cabinet recognise the unacceptable level of public urination, which is a common example of anti-social behaviour. The Cabinet Member Clean and Green Environment responded by saying that the situation had improved considerably in the last ten years due to licensing changes, and that the provision of toilets would continue to improve.

- Q1. In his capacity as one of the council's trustees on the Cleeve Common Trust, he asked that the council make sure to approach funding decisions with the specific priorities of helping residents of Cheltenham and ensuring value for money. The responder reiterated the final paragraph of the initial response, and agreed that the council needs to take this into account.
- Q2. Q3. He emphasised the importance of clarity and decisiveness on equalities issues, particularly relating to disability and gender, highlighting the cost of getting it wrong. The response was to agree with the points raised.
- Q4. Nothing further was asked on Question 4.
- Q5. He recognised the success of Cheltenham's night-time economy but asked that the cabinet recognise the unacceptable level of public urination, which is a common example of anti-social behaviour. The response was that the situation has improved considerably in the last ten years due to licensing changes, and that provision of toilets will continue to improve.