

Council

17th February 2020

Member Questions (14)

1.	Question from Councillor Max Wilkinson to the Cabinet Member Development and Safety, Councillor Andrew McKinlay
	<p>Members will doubtless welcome the shrinking of the town's air quality management area - this is a notable success in improving the air quality experienced by local residents. However, the legislation governing AQMAs is useful but blunt. It does not take into account spikes in pollution at certain times of day - for example school pickup and drop-off, when the lungs of vulnerable children are subjected to harmful vehicle pollution at the school gate. In answer to a previous question at council, the cabinet member suggested he was open to discussions on using council equipment to monitor air quality outside schools. This possibility was again acknowledged by Gareth Jones, Senior Environmental Health Officer, at January's O&S meeting. Now we have spare monitoring equipment due to the redrawing of the AQMA, will the redeployment of monitoring equipment outside schools be part of our future activities?</p>
	Response from Cabinet Member
	<p>The Air Quality legislation does include short-term exposure limits for some pollutants. Of note, is the short-term limit for NO₂, which is set at 200ug/m³ and can be exceeded up to 18 times per year. This limit is not exceeded at any measurement location in Cheltenham and research has shown that such levels would coincide with an annual mean level in excess of 60ug/m³, which is also not breached in any part of the town. Further details are contained in the annual reports submitted to DEFRA, which are available on our website.</p> <p>We don't have 'spare' monitoring equipment as a result of the changes to the Air Quality Management Area (AQMA). All existing equipment will be re-deployed as necessary to monitor sites in and around the new AQMA, or at other areas of concern. One of these sites is immediately outside a primary school.</p> <p>The Environmental Protection team is in the early stages of working with Gloucestershire County Council to develop a project to work more closely with local schools on local air quality. This will also support the request from CBC Overview and Scrutiny Committee to work with schools to improve air quality. There are likely to be significant costs associated with the proposed project, particularly if further monitoring equipment is required, along with staff resources to help deliver successful outcomes; this will therefore require a project proposal and business case being produced for CBC's approval and funding consideration.</p>
2.	Question from Councillor Max Wilkinson to the Cabinet Member Healthy Lifestyles, Councillor Flo Clucas
	<p>Cold War Steve is making his International Exhibition of The People artwork freely available to anyone who wishes to host it. This is an opportunity to fill an empty shopping unit, make use of a derelict building, or display the work in a new and unusual location. Cheltenham BID has agreed to make initial enquiries. Will the council support the initiative to boost local tourism and will the cabinet member</p>

	commit to working with other organisations, such as the Cheltenham Trust, to make this a reality?
	Response from Cabinet Member
	<p>The cabinet member is happy to spread the word about the availability of this free to download exhibition, but as there will still be costs associated with printing, mounting and displaying the 23 images, plus decisions about the suitability of some of the images for family consumption, she will leave it to others to determine whether this would be viable.</p> <p>For more information: https://www.coldwarsteve.com/2020/01/28/you-me-cold-war-steve-the-international-exhibition-of-the-people/</p>
3.	Question from Councillor Max Wilkinson to the Leader of the Council, Councillor Steve Jordan
	<p>The landlords of 17 empty shops in Cheltenham have not bothered to reply to local requests for their engagement in ensuring our town centre thrives. Many local people will be disturbed by this news and will want these absentee, unaccountable property owners to be held to account. Unrealistic rents are undoubtedly a problem in finding future tenants, as is the government's steadfast refusal to abolish the failed business rates system. Cheltenham is definitely doing better than comparable destinations, but the leader rightly recognised in a recent radio interview that we must not be complacent. What representations is the leader making to local retail property landlords and the government to ensure we are doing all we can to make the right case to those in positions of power, including influencing harmful national policies?</p>
	Response from Cabinet Member
	<p>As a Council we have always aimed to invest in the town to make it an attractive place to live, work or visit. The issue of engaging property owners remains a challenge. Cheltenham has perhaps been more fortunate than other towns due to the fact that it has both a BID and a Development Task Force; both of which have delivered significant transformation through active dialogue with property investors and end users.</p> <p>Both agencies have held round table discussions with local and national property companies and commercial agents to explore what can be achieved with existing portfolios, given the challenges being faced by retailers.</p> <p>Some of these bear fruit as in the case of Metro bank and their landlord; the change of use to the upper floors of the Radley retail unit, and the window treatment at the former Austin Reed store, but equally it is difficult to successfully access other players.</p> <p>In addition to supporting the work of the BID and Task Force, I have written separately to the owners and occupiers of Cavendish House given the importance of this site.</p> <p>This O&S committee have equally asked for an update on the performance of the town for their meeting on 24th February 2020.</p>

	<p>In October last year an all-party group of MPs demanded change to business rates system by spring 2020. There remains a plea from the Association of Town Centre Managers and other commercial groups. The Retail Gazette of 13/02/20 notes that more than 50 major retailers have written to the Chancellor demanding business rates overhaul in the Budget next month. I am also writing to the new Chancellor to encourage urgent reform to business rates.</p>
4.	Question from Councillor Max Wilkinson to the Cabinet Member Housing, Councillor Peter Jeffries
	<p>The news that our £100million investment in affordable houses for Cheltenham people has been signed off will be welcomed locally. Communicating this news to the wider public is a key goal for the council. Can we be assured that local ward members whose areas will benefit from investment will be involved with these schemes, so members can spread the good news? And will sites funded by the scheme be branded accordingly before and during construction?</p>
	Response from Cabinet Member
	<p>Communicating the significance of this council's £100m investment in providing high quality homes and thriving communities for families and young people is a high priority for me, and this Liberal Democrat administration. As such we will be promoting this investment as a significant vote of confidence, investing in Cheltenham's future.</p> <p>We will do this via a range of mechanisms. This will include, as referenced in your question, site specific promotion activities, both before, during and upon completion of construction.</p> <p>CBC and CBH communication teams have been working together on an interim communication plan and within this we have identified the importance of engaging with local ward councillors, which we have and will continue to do.</p> <p>The longer term communications plan, soon to be finalised, will be more comprehensive so as more projects start to come to fruition and our housing supply increases, there will be more opportunities to promote what we are doing – and this will include using a recognisable brand to give the housing investment plan a sense of identity.</p>
5.	Question from Councillor Louis Savage to the Cabinet Member Development and Safety, Councillor Andrew McKinlay
	<p>The addition of a height restriction barrier at the car park at Queen Elizabeth II Park has been warmly welcomed by local residents, but unfortunately does not impact on lower level antisocial behaviour and drug dealing at this site. What additional action can the council and its partners take to reduce or stop these behaviours and their adverse impact on local residents?</p>
	Response from Cabinet Member
	<p>We encourage residents and park users to report any criminal activity such as drug dealing to the police in the first instance on 101 for non-emergency matters or 999 if an incident is in progress. Specific concerns in relation to envirocrime issues e.g. littering, fly tipping or graffiti or non-police matters such as the antisocial use of alcohol, legal highs, music, BBQs etc., can be reported using the online 'Report it form' on www.cheltenham.gov.uk or by calling 01242 262626.</p>

	<p>Cheltenham Borough Council and SOLACE have not recently received any complaints of lower level ASB or drug dealing at the site, but can work with partners such as the police and parks team if evidence is received. This might include monitoring the area through physical patrols, use of CCTV, or resident logs of incidents; holding a community and/or multi-agency 'case conference'; and developing an action plan to engage with the potential perpetrators, support or divert them away from ASB and crime and to take enforcement action when necessary and appropriate.</p>
6.	<p>Question from Councillor Louis Savage to the Cabinet Member Clean and Green Environment, Councillor Chris Coleman</p>
	<p>The play areas at Queen Elizabeth II Park and Ewen's Farm are considered by many residents to be dated and in poor condition, particularly when compared with renovated areas in Pittville and Fairview. With no other play facilities in easy walking distance, will the cabinet member consider what funds can be found to improve these facilities for local families living in Ewen's Farm?</p>
	<p>Response from Cabinet Member</p>
	<p>£10,000 is allocated in the annual play area improvement programme (2021/22 financial year) for enhancements to the Ewens Farm play area that will enable some of the older pieces of equipment to be replaced with more modern and inclusive items. Officers normally undertake local consultation beforehand, and are always willing to work with the local community to bring added value to the scheme (ie. community grants).</p> <p>QEII, whilst it may not look as new as Pittville or Fairview, still provides a high level of play value, and received substantial investment from the "Play Builder programme several years ago that saw the installation of a wooden trail and climbing unit. The wooden fencing has been identified as being in need of repair, and this will take place later this year from existing revenue budgets.</p> <p>Both play areas are inspected regularly by Council staff to ensure safety compliance, and surveyed once annually by an independent inspector. The current survey predicts that the equipment has life expectancy of between 10 and 15 years.</p> <p>Similar play areas elsewhere in the Borough have benefited from budgets held by County Councillors for public realm projects, and officers would be happy to discuss the possibility of such funding being made available for both QEII and Ewans Farm play areas with the local County Councillor.</p>

7. Question from Councillor Louis Savage to the Cabinet Member Clean and Green Environment, Councillor Chris Coleman

What was CBC’s recycling rate in 2018/19 and what is their recycling rate so far in 2019/20? How does this compare to other districts in Gloucestershire?

Response from Cabinet Member

NI192	17-18	18-19	19-20
Cheltenham	48.39%	50.74%	50.77%
Cotswold	58.71%	58.95%	61.54%
Forest Of Dean	54.49%	54.38%	55.76%
Gloucester City	41.69%	42.60%	43.98%
Stroud	61.15%	59.94%	60.48%
Tewkesbury	54.55%	52.59%	53.13%

Cheltenham’s performance has improved year on year as shown above and is most comparable with Gloucester. We are both urban in nature with similar amounts of communal properties and transient population groups, e.g. students.

It is important to note that the year-end recycling rate for 2019/20 may be higher or lower than the % recycling rate quoted above which is the rate at this point in the year only.

8. Question from Councillor Steve Harvey to the Chairman of Licensing Committee, Councillor David Willingham

I have recently seen Uber vehicles operating in Cheltenham. Could the Chair of Licensing please explain whether these vehicles are licensed by Cheltenham to operate in our town?

Response from the Chair of Licensing Committee

Uber is not licensed in Cheltenham. They can however operate in Cheltenham relying on their operating licences elsewhere in the southwest. This is made possible through a combination of deregulation of licensing laws and weak primary legislation dating back to 1847.

Taxi and private hire licensing law has become very complex but in very simple terms, as long as the Uber vehicle and driver is licensed by the same authority as the Uber operating licence, there is a “right to roam”. This means that, in this case, Uber cars can roam anywhere and accept bookings provided that the journey is properly booked in advance (via the phone app) and the journey is recorded against the operating licence associated with the Uber vehicle being hailed.

Therefore, an Uber car licensed, for example, by Bath and North East Somerset Council can accept bookings in Cheltenham if:

- 1) The driver and vehicle are also licensed by Bath and North East Somerset Council; and

	<p>2) The hailing is made via the Uber phone app (and therefore not plying for hire); and</p> <p>3) The booking is recorded against the Uber operating licence issued by Bath and North East Somerset Council (and therefore dispatched by Uber Bath).</p> <p>Members may be interested to read a fuller explanation of this in the May edition of the Trade Times: https://mailchi.mp/2e47c96bf93a/trade-times-may-19?e=[UNIQID]</p>
9.	Question from Councillor Angie Boyes to the Leader of the Council, Councillor Steve Jordan
	<p>Every year more than 17,000 students at UK universities study or work abroad as part of their degree. Erasmus (European Region Action Scheme for the Mobility of University Students) funds opportunities to study abroad, teacher training partnerships between colleges and universities but also schemes to share best practice in education and youth policy. MPs voted against an amendment to keep the UK in Erasmus after the Brexit transition period. Losing Erasmus would be a huge loss to students not only in Cheltenham but across the UK by limiting their educational horizons. As the Co Vice-Chair of Twinning in Cheltenham, I will be writing to our MP and the Secretary of State for Education to request confirmation that the UK will remain in the Erasmus programme and I would like to ask the leader of the Council if he will do the same.</p>
	Response from Cabinet Member
	I am more than happy to write as requested as the Erasmus programme has been of great value to UK students.
10.	Question from Councillor Angie Boyes to the Cabinet Member Housing, Councillor Peter Jeffries
	<p>Cheltenham has been declared a Town of Sanctuary for refugees. In recognition of this, will Cheltenham Borough Council be prepared to finance a plaque to celebrate this as other towns and cities have done, such as Bristol. It will not only serve as recognition of our status but also as a permanent reminder of our commitment to refugees as a Council, as a town and as individuals.</p>
	Response from Cabinet Member
	<p>Since December 2015, Cheltenham's Liberal Democrat administration, the resident volunteer group Cheltenham Welcomes Refugees & Gloucestershire Action for Refugees and Asylum Seekers (GARAS) have been very pro-active working in partnership by welcoming 121 refugees into Cheltenham. In February 2019, this administration extended Cheltenham's invitation further, to include an arrangement with UK Visas & Immigration to accommodate up to approximately 25 Asylum Seekers during the first 12 months.</p> <p>We are now reviewing our arrangements again, with a view to extending our offer to refugees during 2020.</p> <p>As a result, Cheltenham has welcomed more refugees than any other district in the county since December 2015. This would not have been possible without the support of our residents working so collaboratively, with such passion, kindness and empathy.</p>

	<p>Cheltenham Welcome refugees discussed and supported the desire for Cheltenham to become a Town of Sanctuary and on the 25th of March 2019 full council passed a motion to “adopt the title of Town of Sanctuary, and to take practical steps to welcome and include refugees and seek ways of supporting refugees wherever it can”.</p> <p>Given Cheltenham’s track record, we now feel it is the right time to apply officially for a City of Sanctuary award. These are given to organisations to recognise and celebrate their commitment to the values and vision of the City of Sanctuary network. Following submission of our application, this will be appraised by a local panel. If we are successful we will then be eligible to display an official City of Sanctuary certificate. This will then be framed and displayed in a prominent position within the Municipal Offices. Further discussion / work with our partners would need to take place in celebrating more widely Cheltenham as a Town of Sanctuary.</p> <p>There is more information about the award process here.</p>
11.	<p>Question from Councillor Wendy Flynn to the Leader of the Council, Councillor Steve Jordan</p>
	<p>The Hester’s Way Neighbourhood Forum, recognised by Cheltenham Borough Council as an official consultee in planning issues, submitted a comprehensive, professionally produced, master plan for the Hester’s Way ward part of the SPD area. Forum members and residents attended events and gave their views yet there is little evidence in the draft SPD that the Forum and the community’s views have been taken into account. An area of particular concern, and one which was given great weight in the Forum’s master plan, is the lack of a buffer zone along Fiddler’s Green Lane between the existing two-storey residential buildings and the up to seven-storey, densely situated technology buildings and multi-storey car park.</p> <p>Paragraph 12 of the Ministry of Housing Communities and Local Government Garden Communities Prospectus states “residents must have a meaningful say in developing the proposal from design to delivery” (my emphasis). Paragraph 13e states a key quality of any development should be that it is “designed and executed with the engagement and involvement of the existing local community.” What clear evidence is there that shows the views of the Forum and the views of residents of Hester’s Way ward influenced and shaped the draft SPD?</p>
	<p>Response from Cabinet Member</p>
	<p>There has been active engagement with local residents both through the community drop ins during September 2019 and the most recent public consultation. This engagement enabled direct access to the consultancy team and council officers to discuss and understand the views of residents. Hesters Way Neighbourhood Forum attended a workshop of stakeholders on 3rd September 2019. Feedback from residents’ at the most recent public consultation event has recognised changes that have occurred in the drafting of the Supplementary Planning Document. I can confirm that the masterplan as prepared by the Hesters Way neighbourhood Forum has formed part of the evidence base that has informed the Cyber Central SPD as drafted.</p>
12.	<p>Question from Councillor Wendy Flynn to the Leader of the Council, Councillor Steve Jordan</p>

	<p>The Draft SPD, Cyber Central Garden Community, has aspirations that the new development will be an integrated and connected extension of west Cheltenham. On page 14 it details a number of key benefits to the wider area, which are to be welcomed. In particular it says one of the benefits is that of “Significant new jobs created in this growth sector and inspiration to future generations seeking to address the current levels of deprivation in surrounding areas.”</p> <p>If there is a real commitment to using the development and the jobs it creates to inspire and improve the employment situation of the residents of West Cheltenham, why has an employment and training charter not been included in the draft SPD, that includes both construction phase and for when the park is completed?</p>
	<p>Response from Cabinet Member</p>
	<p>This is a really important point and one that we are discussing both corporately and in the context of this particular scheme. The SPD should be read alongside the Cheltenham Plan in which we now have a policy for the requirement of an employment and skills plan to accompany applications over for commercial uses over 1,000 sqm (policy EM4). Proposals for Cyber Central will therefore need to set out how the development will enable opportunities for employment and skills development of local people through the implementation of the development proposal.</p>
13.	<p>Question from Councillor Wendy Flynn to the Leader of the Council, Councillor Steve Jordan</p>
	<p>The Cyber Central Garden Community draft SPD makes many references to community facilities, ones that will serve the new development as well as the existing residents of West Cheltenham, yet gives no details as to what these will be, who will run them and where they will be located. Will the final SPD be clearer on what community facilities will be included and propose who might run them?</p>
	<p>Response from Cabinet Member</p>
	<p>The SPD is a strategic masterplan and it would be inappropriate for the SPD to set this level of detail. This detail will need to be set out in the context of future planning applications.</p>
14.	<p>Question from Councillor Wendy Flynn to the Leader of the Council, Councillor Steve Jordan</p>
	<p>Having seen for myself the security gauntlet that has to be run to get in, out and even just between buildings on the Benhall GCHQ site, I am in doubt as to whether there will be much in the way of pedestrian traffic between the Doughnut and new Cyber Hub on a day to day basis and therefore little benefit to having the Cyber Central Hub located so close to the Doughnut as in the SPD. There are however huge disadvantages to sandwiching and isolating residents in Fiddlers Green between GCHQ, with around 7000 employees/contractors, and the new cyber hub, with 7500 workers, not least the disadvantage of a huge increase in vehicle movements.</p> <p>When drawing up the draft SPD, “Cyber Central Garden Community”, has serious consideration been given to locating the Cyber Central Hub in the north of the SPD area?</p>
	<p>Response from Cabinet Member</p>
	<p>Engagement with the business sector, including GFirst LEP and relevant</p>

<p>government departments clearly articulates the benefits of being closely located to existing GCHQ facilities. This was also tested through the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy, policy A7 of this plan has guided the preparation of the SPD. It is not proposed to change the location of the cyber central hub to the north of the site.</p>
