

## Council

Monday, 21st June, 2021  
3.00 - 4.30 pm

| Attendees           |  |
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| <b>Councillors:</b> | Steve Harvey (Chair), Sandra Holliday (Vice-Chair), Matt Babbage, Paul Baker, Dilys Barrell, Angie Boyes, Nigel Britter, Barbara Clark, Flo Clucas, Mike Collins, Iain Dobie, Stephan Fifield, Bernard Fisher, Wendy Flynn, Tim Harman, Rowena Hay, Martin Horwood, Peter Jeffries, Alisha Lewis, Chris Mason, Guy Maughfling, Paul McCloskey, Andrew McKinlay, John Payne, Richard Pineger, Julie Sankey, Louis Savage, Diggory Seacome, Jo Stafford, Simon Wheeler, Max Wilkinson, Suzanne Williams and David Willingham |

## Minutes

### 1. APOLOGIES

Apologies were received from Cllrs. Atherstone, Barnes, Bassett-Smith, Brownsteen, Hegenbarth, Nelson and Oliver.

### 2. DECLARATIONS OF INTEREST

Cllr. Horwood declared an interest in item 9 as a trustee of Gloucestershire Wildlife Trust.

Cllr. Willingham declared a non-pecuniary interest in item 10 as a member of the Liberal Democrat Disability Association.

### 3. MINUTES OF THE LAST MEETING

Cllr. Williams noted that her 'for' vote on the election of the Deputy Mayor had not been recorded. Cllr. Flynn added that the minutes of the Extraordinary meeting stated she was there in person, when she had in fact attended remotely. Democratic Services agreed to rectify these.

### RESOLVED THAT

1. The minutes of the Annual and Selection meeting held on 17 May 2021 be approved and signed as a correct record.
2. The minutes of the Extraordinary meeting held on 17 May 2021 be approved and signed as a correct record.

### 4. COMMUNICATIONS BY THE MAYOR

The Mayor noted that he had omitted to swear the oath of allegiance to the Queen during the Mayor Making ceremony, so he took the opportunity to do this. He thanked Cllr. Baker for proposing him as Mayor and for his kind words at the ceremony, and congratulated everyone working at Cheltenham Town Football Club for their promotion as champions at the end of the last season.

He added that it was important to ensure that the language the council used was appropriate, and as such had asked Jason Potter-Peachey of Gloucestershire Pride to be an advisor to the council on LGBTQ+ issues and Professor Jermaine Ravalier of Bath Spa University to advise him on BAME issues. He informed the meeting that the Chief Executive had indicated that he was happy to look at the wording of council policies and identify any improvements in terms of openness and inclusivity of council processes.

## **5. COMMUNICATIONS BY THE LEADER OF THE COUNCIL**

The Leader of the Council reported that in partnership with Cheltenham Borough Homes, 27 new affordable homes in a variety of tenures had been delivered on the former Monkscroft Villas site (now called Radford Court), increasing the number of homes that were previously on the site by more than 800%. She added that all 27 homes would shortly be occupied as various tenancy agreements had been signed, and looked forward to delivering more units in the town as part of £180m investment into affordable homes in the years to come.

She added that the council's response to the Covid-19 crisis had been audited, and that the auditors had found it to have a sound system of governance, risk management and controls, with internal controls operating effectively and being consistently applied to support the achievement of objectives.

At the government's briefing on the extension of restrictions last week, there had been no suggestion of any further financial support in the form of grants to businesses. The business rates holiday of 100% for retail, hospitality and leisure businesses since 1<sup>st</sup> April 2020 would come to an end on 30<sup>th</sup> June, with a discount of 66% until 31<sup>st</sup> March 2022. Businesses were calling for the 100% discount to be extended, but there had been no response to this from the government as yet.

The Leader informed Council that the UK had been running a scheme to support locally employed staff (LES) in Afghanistan, often in dangerous and challenging situations, in recognition of their commitment and bravery shown supporting UK forces since 2013. The scheme consisted of two elements, one of which was the ex-gratia scheme which would close in November 2022, and the Afghan Relocations and Assistance Policy which launched in April 2021, reflecting the changing situation in Afghanistan and consequent risk to LES. Both schemes were intended to support current and former LES who had worked for British Forces and to provide appropriate support that honoured their service and properly reflected their work and the risks involved. The schemes provided a range of in-country packages of assistance in Afghanistan and, for those who meet the criteria, relocation to the UK with their dependants. As such, 3000 former interpreters and their families were coming to the UK,

including 35 to Gloucestershire. The Leader welcomed these individuals and stressed that they would have the council's support.

She added that the council was a finalist in the Room 151 Impact award in the Tackling Covid-19 category, which recognised the extraordinary contribution that council finance departments had made to supporting their communities through the pandemic through revenues and benefits, supporting frontline services and business grants. The category winners would be announced at a virtual awards ceremony on 1st July.

The Leader reported a series of changes to committee membership. Cllr. Barrell would become a reserve member of Planning Committee, with Cllr. Clark taking her place and Cllr. Lewis taking Cllr. Clark's spot on Licensing Committee. Cllr. Stafford would replace Cllr. Brownsteen on the Asset Management Working Group, Cllr. Harvey would replace Cllr. Brownsteen on the Disciplinary Committee and Cllr. McCloskey would be an additional reserve member of Full Licensing Committee.

Finally, she added her congratulations to Cllr. Brownsteen on the birth of his child.

## 6. TO RECEIVE PETITIONS

There were none.

## 7. PUBLIC QUESTIONS

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| <b>1.</b> | <b>Question from Alan Bailey to the Cabinet Member Customer and Regulatory Services, Councillor Martin Horwood</b>   |
|           | <p>Can the Council state what high quality sustainable transport measures will be in place to allow the Cheltenham Plan MD4 to be developed? As required by the NPPF.</p> <p><b>Clarification:</b> Whilst the individual plans within MD4 are carefully considered for each individual application there are now at least 3 applications under consideration for MD4 and new the school is approved and under construction. The 2016 appeal considered that the traffic on the A46 was severe. The individual developments are to have traffic adjustment but none of the plans will reduce the traffic. The 2019 Appeal PP/B1605/W/19/3238462 concluded that there were “<b>no sustainable</b>” links to local centres from MD4 (Then JCS MD5). But in conclusion the Judge had no reason to believe these would not be in place before the development took place. However, nearly 3 years on from the original application there are no high-quality sustainable routes from the area MD4 and no plans with funds to support them as required by NPPF. The delivery of Sustainable routes must precede any development of MD4. Thus, sustainable transport to major centres becomes vital <b>before approval</b>. Currently there are no sustainable routes and certainly not high quality.</p> |
|           | <b>Response from Cabinet Member</b>  |
|           | <p>Gloucestershire County Council (GCC) is the Local Transport Authority for Gloucestershire, including Cheltenham Borough. This means that they are responsible for transport planning across the County. GCC produce a Local Transport Plan (LTP) for the area.. LTPs set the transport strategy for an area. LTPs also directly inform land use as set out in Local Plans.</p>  |

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|           | <p>The Council also has a statutory duty to consult GCC on highways' matters as part of the planning application process. GCC comments are a material consideration in the planning process and on larger schemes will often form a significant part of the determination. When a planning application is approved which contains alterations or improvements to the transport network these are usually subject to some form of legal agreements. The implementation of the schemes becomes the responsibility of GCC as it is their network that will be impacted.</p> <p>Planning application (20/01788/FUL) for 350 dwellings in Leckhampton is currently under consideration and includes a Transport Assessment and proposed traffic measures. GCC, as the local transport authority, will assess these and provide comments to the planning officer. The question raised here, however, is very relevant to the consideration of this planning application and several others in the area. The cumulative impacts of the different developments must be assessed against the policies which are already in place, particularly Policy INF1 of the JCS and LTP Policy PD 0.1 which should support better connectivity and more sustainable transport choices. I propose to seek an urgent meeting with the relevant parties to discuss the proposals as a whole and ensure that these policies are complied with.</p> |
|           | <b>Supplementary question</b>   |
|           | Is there a proper business plan in place, and if not, can it be put in place before MD4 is developed?   |
|           | <b>Response from Cabinet Member</b>   |
|           | Thank you for raising this point and for following the issue closely throughout. While Local Plan policies do not have specific business plans, we have adopted multiple policies at different levels (such as the Local Transport Plan) which ensure that the key principles are considered. I would like to convene an urgent meeting of interested parties to talk together about how we can make sure these important policies are implemented in Leckhampton.  |
| <b>2.</b> | <b>Question from Alan Bailey to the Cabinet Member Customer and Regulatory Services, Councillor Martin Horwood</b>  |
|           | Will the Council detail how the LPA interacts with the Transport Authority to implement such infrastructure measures such that the area MD4 can be developed?   |
|           | <b>Clarification:</b> The public find the current situation exceedingly difficult to understand the roadmap for high-level plans for sustainable transport. <b>"Without political intervention"</b> , who does what, and when, and who how the schemes are funded etc?  |
|           | <b>Response from Cabinet Member</b>   |
|           | Please refer to the answer given above.   |
|           | <b>Supplementary question</b>   |
|           | We now have a Transport Plan until 2041, but the objectives themselves acknowledge they are not currently funded. On page 148, you can see that objectives 4 and 20 have no funding explanation. What will the funding sources  |

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|  | be for these objectives?  |
|  | <b>Response from Cabinet Member</b>   |
|  | This is more of a county council issue, but we are still keen to bring together interested parties very soon considering the nature of live planning applications. Key funding sources are likely to include the Community Infrastructure Levy. |

## 8. MEMBER QUESTIONS

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| <b>1.</b> | <b>Question from Councillor Bernie Fisher to the Cabinet Member Customer and Regulatory Services, Councillor Martin Horwood</b>  |
|           | Would the Cabinet Member please explore the possibility of putting the Local Green Space designated in the current Local Plan around Swindon Village, and agreed with the Secretary of State, to be created a local community asset of value?  |
|           | <b>Response from Cabinet Member</b>  |
|           | Assets of Community Value (ACVs) can only be nominated if they are of interest socially (such as for sport, culture or recreational uses) or increase the wellbeing of the community now and into the future. A community group (such as a society, the parish council, neighbourhood forum, not for profit organisation or a group of at least 21 individuals) that is locally connected to the area can nominate an asset to the local authority for judgement by the Council. We can open discussions with the Parish Council in order to achieve this aim but the Council would need to ensure that it is making a balanced judgement in assessing the proposal. |
|           | <b>Supplementary question</b>  |
|           | Can the Cabinet Member confirm that the land at Swindon Village meets the criteria?  |
|           | <b>Response from Cabinet Member</b>  |
|           | Yes, this is the case.   |
| <b>2.</b> | <b>Question from Councillor John Payne to the Cabinet Member Culture, Wellbeing and Business, Councillor Victoria Atherstone</b>   |
|           | On the 20 <sup>th</sup> April the council contracted the Nash Partnership to deliver a master planning exploration of a cyber, digital and creative quarter as part of the Town Central Vision. Would the Cabinet member consider sharing with members the scope, terms of reference for this masterplanning exercise together with the metric that will be used to judge the effectiveness of the consultation so that members can appreciate the synergy between the master planning, place making and Marketing Cheltenham?   |
|           | <b>Response from Cabinet Member</b>  |
|           | Thank you Cllr Payne for your interest in this work. As you know it's a high priority for CBC and myself as cabinet member for Culture, Wellbeing and Business to consider town centre vision projects that are swift, bold and brave as part of our economic recovery strategy.<br><br>Work on the commission by Nash Partnerships is ongoing and I am happy to share with you and any other interested councillors the brief for this work. This work forms part of our assessment to inform the longer term vision for the High   |

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|           | Street which will be critical in supporting our economic recovery. In due course we plan to use our recently procured public engagement platform 'Citizen Space' to engage with our businesses and wider community on the wider town centre regeneration agenda.   |
| <b>3.</b> | <b>Question from Councillor Stephan Fifield to the Cabinet Member Waste, Recycling and Street Services, Councillor Iain Dobie</b>  |
|           | There is noticeable concern from residents about Cheltenham's current level of weed growth. I am aware that the Council's weed killing strategy is currently being reviewed. Could the Cabinet Member please update the Council on the current status of the strategy review with a timeline for completion, and could a report also be returned to Council so that progress on this issue can be monitored?   |
|           | <b>Response from Cabinet Member</b>  |
|           | <p>As a result of no weed spraying last year during COVID and the perfect growing conditions experienced this year, combined with the lower footfall due to lockdown restrictions not being fully lifted allowing more weed germination, I would accept that weed growth is more noticeable in some parts of the borough. Whilst we may not like the look of it, the bees and insects love it.</p> <p>To support biodiversity, the council has created diverse grassland habitat on many of its green spaces. Pittville Park, Benhall Open Space, and Springfields Park are just a few examples where extensive natural grassland is supporting bird species, where previously they had not existed. Sometimes it is as simple as allowing grass to grow longer, which allows valuable pollinating insect populations a chance to thrive.</p> <p>Members may recall last year during COVID we trialled alternatives to weed spraying. However, our conclusion at the end of the year, when we published an update as part of the Environmental Services Strategy approved by Cabinet in October 2020, was that, in addition to other manual and mechanical weed removal, one weed spray would be necessary this year and this will take place over the next few weeks, starting at the end of this week.</p> <p>The targeted weed spraying will start in the town centre, moving on to Lansdown, the Park, St Pauls, Springbank, Swindon Village and the rest of the borough over the next 6 weeks. Residents will notice the weeds dying off after a week or so.</p> <p>I am committed to reducing weed spraying to support biodiversity and our response to the climate emergency. I'm pleased to say that the council is starting discussions with Gloucestershire Wildlife Trust to look at how we can reduce weed spraying further moving forward, as well as implementing other measures to support biodiversity. I am pleased to say that we have achieved a 50% reduction in weed spraying, which is line with the commitment we publicised last year.</p> <p>Since January this year, Ubico, the Council's environmental services provider, has been tidying up the worst of the weeds across the town by using our new weed ripper, which avoids the amount of weed spraying we have to do. Most recently the weed ripper has been in the Warden Hill and Hatherley area. The weed ripper is a very effective tool we can now use to control weeds and there are other things we are doing to reduce the amount of weed spraying needed. We put a lot of effort into a trial of various methods of weed control last year during COVID to avoid weed spraying and we are still trying to find the most</p> |

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|    | <p>environmentally friendly method.</p> <p>Since Christmas, Ubico have also used a small mechanical sweeper with a special weed ripper arm attached to it to remove weeds in roads and on pavements in some areas – you may have seen it in parts of Priors Park, Whaddon, All Saints, Hatherley, Warden Hill and the Town Centre.</p> <p>To reduce weed growth in gullies on roads, Ubico has continued to sweep the roads with the mechanical road sweepers which not only gets rid of dirt and debris on the edge of roads but also stops germination of more weeds.</p> <p>From the end of June you will notice the Ubico strimming crew out and about tidying up the weeds and long grass around street furniture – roads signs etc. They will be starting in the town centre and moving out of town down the Lansdown Road, up London Road and into Charlton Kings, Leckhampton, Shurdington and Warden Hill, before moving on to the rest of the borough. The crew has already been out strimming in Priors Park and Windyridge.</p> <p>Areas of long grass on highway verges will be cut down by the end of June, but any areas of wildflower planting may be left longer, as this is part of its management plan. Those areas of grass where you see daffodils growing in the spring are left until the end of June before the grass is cut down, to help ensure a good display of flowers the following spring.</p> <p>Ground flailing of the large stretches of grass verges on semi-rural roads will be starting at the end of June too and this will be repeated in October. Hedge cutting across the town will start, after the bird nesting season, at the end of July.</p> <p>An update is available on the website and a press release has been issued to the media. I would be pleased to update all members on progress with this new approach to weed control during the summer and again in the Autumn.</p> |
| 4. | <p><b>Question from Councillor Tim Harman to the Cabinet Member Climate Emergency, Councillor Max Wilkinson</b></p>  |
|    | <p>Can I remind the Cabinet Member of my question and his reply at the Council meeting on 7th December concerning the need to reduce the council's Carbon emissions? Can he update the Council on progress and confirm if and when low or zero emission vehicles will be introduced?</p> <p>Will he also indicate if he has given any consideration to my suggestion to develop a performance indicator for the council's carbon emissions?</p>  |
|    | <p><b>Response from Cabinet Member</b></p>   |
|    | <p>Thank you Councillor Harman for your question and persistence on this important issue. There has been significant interest in the monitoring and reporting of the Council's carbon footprint, and rightly so. We have set an ambitious target of becoming a carbon neutral Council and Borough by 2030 and it is imperative that we communicate our pathway clearly.</p> <p>The Council is committed to making better use of annual reporting. This includes the collection and publication of our Scope 1, 2, and 3 emissions, which goes above and beyond the approach of many other councils.</p> <p>As a reflection of this, an expansive dataset is still being gathered following the</p>   |



year end. The updated carbon footprint will be confirmed next month and will subsequently be published using a template which will be utilised in future years. The intention is to publish our footprint on the climate change pages of the CBC website, to improve transparency and encourage other organisations to follow suit. A key theme for CBC is 'leading by example'.

The publication of the council's carbon emissions will be followed up with the publication of a Climate Pathway. This will set out annual emission reduction targets and will act as a roadmap to guide the Council towards the 2030 target.

Cheltenham Borough Council and Ubico are working closely together to plan our future fleet replacement, with carbon reduction at the heart of our decision making. This week, the first 4 electric charging points will be operational at the Swindon Road depot and are just waiting for our first 2 electric vehicles to be delivered in July/August this year. These will be our first electric vehicles. We are also in the middle of a procurement exercise to install a further 4 electric charging points for CBC vehicles to use at the Swindon Road depot site, starting with the Mayor's vehicle.

Going forward, where available on the market, all 3.5T and smaller vehicles that are purchased will be electric, although currently, 4x4 pick-ups aren't available on the market and we will therefore need to replace two of these in parks and gardens with the newest diesel versions. Our heavy goods fleet is not due for replacement until 2024-25, but in the meantime, we are looking at alternative fuels which could be delivered across most of the Ubico fleet within the next 12/18 months, reducing carbon emissions by up to 85%. In the longer term, subject to where our strategic waste site is located, we could invest in electric or hydrogen infrastructure to help the move away from diesel altogether.

We are also looking at the fairly small number of CBC-owned vehicles and these will be replaced going forward using the same criteria I have already set out.

In terms of our wider EV strategy for the borough as a whole, we are keen to ensure that this dovetails with the county council's approach to the provision of on-street charging points. GCC has advised that it will be imminently tendering the contract for on-street EV provision and there will be an option for CBC to use a call-off option to procure charging points in off-street car parks.

One note of caution is that electric vehicles are unlikely to be a long term sustainable solution to the nation's transport needs (or indeed, that of the rest of the world), so we will be looking with interest at any proposals from the government and the Highways authority to help address this conundrum. The government has already made known its ambition to see 50% of shorter journeys currently being made by car, being undertaken by walking and cycling by 2030.

Note: Research by C40 (a network of the world's megacities committed to addressing climate change) indicates between 40 and 80 per cent of trips in cities need to be walking, cycling, or public transport by 2030 if global heating is to be constrained below 1.5 degrees Celsius. Put simply, you can't have a sustainable city or town without radical changes to our mode of transport.

**5. Question from Councillor David Willingham to the Cabinet Member Customer and Regulatory Services, Councillor Martin Horwood**



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|                  | <p>Could the Cabinet Member please advise how to get a road naming error corrected in the Council's databases, and if possible assist with getting a specific issue in St Peter's ward resolved?</p> <p>The specific issue is that Yarnold Terrace (GL51 9EQ and GL51 9EH) is currently incorrectly named as "Yarnolds Terrace" (with an extra "s") on various databases. The council minutes from Cheltenham's Housing Committee, held on Thursday 12<sup>th</sup> March 1936, agenda item 7(b) state the following: <i>Read, letter from Mrs. Yarnold that residents in the former North Ward had asked whether the late Alderman Yarnold's name could not be perpetuated by naming one of the roads on the Moors Estate after him. RESOLVED That the General Purposes and Watch Committee be recommended to name the houses fronting Tewkesbury Road, at present known as Tewkesbury Road West, "Yarnold Terrace."</i> The street nameplate with this name "Yarnold Terrace", without the erroneous "s" is in-situ and is visible on Google Streetview.</p> |
|                  | <p><b>Response from Cabinet Member</b></p>   |
|                  | <p>Thank you Councillor Willingham for raising this issue. A mistake has obviously been made at some point in the past. However, the street name Yarnold Terrace is now recorded on the NLPG (National Land and Property Gazetteer), and with Gloucestershire Highways, Royal Mail and the Valuation Office Agency (VOA). Whilst it does appear to be a simple correction, the name as recorded with an 's' cannot legally be changed without consulting all the residents. I will ask officers to review the most appropriate and time effective way to do that.</p>  |
| <p><b>6.</b></p> | <p><b>Question from Councillor David Willingham to the Cabinet Member Customer and Regulatory Services, Councillor Martin Horwood</b></p>  |
|                  | <p>Could I please be advised of the number of fixed penalty notices (FPNs) and convictions in the municipal year 1<sup>st</sup> April 2020 to 31<sup>st</sup> March 2021 for the following:</p> <ul style="list-style-type: none"> <li>a) Fly tipping</li> <li>b) Dog fouling</li> <li>c) Littering</li> </ul>   |
|                  | <p><b>Response from Cabinet Member</b></p>   |
|                  | <p>The number of fixed penalty notices (FPNs) in the municipal year 1st April 2020 to 31st March 2021 was as follows:</p> <ul style="list-style-type: none"> <li>a) Fly tipping (45 issued)</li> <li>b) Dog fouling (2 issued)</li> <li>c) Littering (35 issued)</li> </ul> <p>It is also worth noting that we issued 12 FPNs for graffiti during this same time period.</p> <p>Regarding convictions where we have pursued legal action, there are 3 pending cases that should have been heard last year, but we're adjourned and rescheduled for June/July this year. Covid has had a significant impact on the courts system.</p> <p>We had one case heard in December 2020 for three offences of fly tipping, where the person was convicted and received a community order; the Council did not receive its full costs back, but the individual was required to pay £150.</p>   |

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|           | Total fine income from antisocial behaviour related offences was approximately £19,000.   |
| <b>7.</b> | <b>Question from Councillor David Willingham to the Cabinet Member Customer and Regulatory Services, Councillor Martin Horwood</b>  |
|           | While protecting our listed heritage buildings and our conservation areas is essential to our regency town, in the town centre, the inability of some listed and heritage buildings to be able to install double glazing seems to present issues around climate change as well as exacerbating the issue of noise in the ENTE. Concerns about late-night noise are often brought up by residents in licensing hearings. While recognising that in order to protect the heritage assets it may not be possible to change the Council's policy on this, could I please ask the Cabinet Member whether Planning would be able to investigate whether there are any solutions or products that would allow the installation of improved fenestration while also protecting those heritage assets?   |
|           | <b>Response from Cabinet Member</b>   |
|           | <p>This is a very relevant and difficult question as Cheltenham benefits from its heritage in terms of listed buildings and conservation areas. The Council is required to give great weight to these matters in sustaining and enhancing the historic environment. A high proportion of Officers time is spent advising residents on dealing with fenestration issues, and they are always willing to discuss different approaches that may be taken.</p> <p>Although the Council is important in its decision making we must recognise the role of Historic England as a consultee and guardian of the historic environment. Guidance is available from Historic England ((Energy Efficiency and Historic Buildings (June 2018). This sets out how the issues can be addressed in some details, including some less obvious solutions such as draught proofing and the use of heavy curtains. It occurs to me that it would be helpful if the Council was to place a link on the relevant page of the Council's website to this document.</p> |
| <b>8.</b> | <b>Question from Councillor David Willingham to the Cabinet Member Customer and Regulatory Services, Councillor Martin Horwood</b>  |
|           | During the summer months, the lack of effective odour control on the Severn Trent Combined Sewer and Overflow facility in St Peter's Park often leads to the stench of raw, untreated sewage in parts of the park. Dealing with these types of environmental odour nuisances normally seems to be predicated on a particular individual resident or business being affected and complaining. Does the Cabinet Member agree with me that it is unacceptable for our parks to suffer this type of odour pollution, and will they look at what can be done to get Severn Trent to address this issue?  |
|           | <b>Response from Cabinet Member</b>   |
|           | <p>The issue which Cllr Willingham helpfully raises is clearly of concern in relation to local amenity and could dissuade residents from making beneficial use of St Peter's Park, which I know is a valued local community green space.</p> <p>Unfortunately, there appear to be far too many examples nationally of combined sewers discharging to watercourses in the event of heavy rainfall and this situation is predicted to get worse as a result of climate change. This has a</p>   |

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|           | <p>detrimental effect on water quality and the wildlife and biodiversity supported by streams and rivers.</p> <p>In the absence of documented complaints from members of the public concerning odour nuisance at this location, there does not appear to have been any consideration of this matter by the authority, so I would welcome receiving any further details from Cllr Willingham that might assist officers in taking the issue up directly with Severn Trent.</p>   |
| <b>9.</b> | <b>Question from Councillor David Willingham to the Chair of Planning and Cabinet Member Customer and Regulatory Services, Councillor Martin Horwood</b>  |
|           | <p>A recent Prior Approval notification application for a telecoms mast in St Peter's ward has highlighted that the ability of members to call-in planning applications to Planning Committee does not apply to this type of application. In this, case the visually intrusive, poorly sited and inappropriate application was refused by officers under delegated powers, but it does raise concerns that as a member-led authority, there is no way for members to require the Planning Committee to determine this type of application if a ward member believes there are sufficient grounds. While I understand that due to the statutory timescales and presumption of approval if a refusal does not occur within that that time limit, this does seem to limit members' ability to represent their communities on such issues. Would the Chair of Planning and the Cabinet Member be willing to review this process to see if there are alternative solutions that would ensure that there can be some type of public hearing to determine these cases if the ward member believes it to be necessary?</p>  |
|           | <b>Response from Cabinet Member</b>   |
|           | <p>The proposal referred to by Cllr. Willingham was rejected by the Council. Proposals for telecommunications mast equipment are generally not planning applications in the traditional sense and do not fall within the remit of planning committee. It is not that the Council wishes to circumvent the involvement of members, simply that this type of development is generally granted planning permission by national legislation without the need to submit a planning application i.e. permitted development, subject to certain limitations and conditions. It is these limitations and conditions which require the Local Planning Authority's 'Prior Approval'.</p> <p>Work must not commence on the development until the Local Planning Authority has issued its determination. However, it is important that Prior Approvals are actioned promptly by the Local Planning Authority as many will receive 'deemed consent' if the time period for a determination to be issued expires. Due to the strict requirements of the legislation and timescales associated with these notifications, it would unfortunately be unmanageable to consistently coincide determination dates for Prior Approval with the committee dates timetable. I will however work with the Chairman and Vice Chairman of Planning Committee to examine the issue on an ongoing basis."</p> |

**9. TO CONSIDER THE PETITION 'REDUCE FLOODING AND EXAMINE FLOOD RISK IN DETAIL, BEFORE ALLOCATING MORE DEVELOPMENT SITES'**

Cllr. Savage introduced the petition in the absence of Cllr. Nelson, thanking her for putting in a considerable effort to organise it. He noted that the council's petition scheme was an important way for local residents to highlight issues as critical and consequential as flood prevention. Flooding had had a devastating effect on Gloucestershire in the last few decades, especially in 2007, and over recent years, extreme weather events had increased in frequency and severity. It was not just neighbouring authorities which had well-founded concerns about flood risk – this was a national issue.

This petition arose in part from Cllr. Nelson representing residents' concerns across the A46 corridor, which had an increased risk of flooding. It was hard to overestimate the impact that flooding had on individuals, businesses and communities – not just the initial clean-up, but also the constant fear of it happening again. Addressing the root causes of extreme weather was essential, and the UK government should be commended for its ambitious plans in relation to climate change and the environment. It was also important to recognise good work at local level and the measures put in place since 2007. He added that the speed at which 750 signatures were collected demonstrated the importance of the issue, and that a similar petition would come before Tewkesbury Borough Council very soon.

In response, the Cabinet Member Customer and Regulatory Services thanked Cllr. Nelson for organising the petition and Cllr. Savage for presenting it. He especially agreed with the key point regarding the personal impact of flooding. The good news for signatories was that everything the petition called for was either something the council was planning to do or was required to do in the coming years. Genuine public consultation had taken place and he was very pleased with results. Flooding was an important issue across the town in all its forms, although there were some particularly vulnerable areas to focus on. Responsibility for tackling this also lay with partners, such as the county council, and he suggested that as a county councillor, Cllr. Nelson could take this to them too.

He added that existing JCS development proposals must avoid areas vulnerable to flooding and must not increase the level of flood risk. The new processes in the next JCS review would follow the guidance of the national planning policy framework and consider cumulative impact, but he suggested that they could go further by developing sophisticated urban drainage systems and building with nature. He hoped they could develop a natural and holistic approach to flood management, in order to best adapt to climate change and protect the town.

- One Member welcomed the petition and the officer report, stressing that it was important to communicate on this issue considering residents' very real concerns. The council needed to let people know what they were doing and also help them understand things like seasonal constraints.
- One Member emphasised that flooding prevention measures did not necessarily prevent development. In their ward, shared ownership

housing had been built in a flood zone on proper foundations that gave it height as a protective measure against flooding. He hoped that, as part of the Conservative administration at GCC, Cllr. Nelson would raise the issue with them too. A key issue for residents was blocked drains, which was a Highways issue. He added that partners needed to pull their weight if the council was going to be able to make a difference.

- One Member noted that they could not find any reference in report to supplementary planning guidance regarding flooding and drainage, which would help consultation with developers. The current policy required developers to just not increase flood risk, but it should go further and ensure that they contribute to a reduction in flood risk instead.
- One Member agreed that it was important to address these issues before they become very serious, citing the risk of flash flooding in the Charlton Kings area in particular.
- One Member added that their ward had suffered very badly in the 2007 floods and now had a very effective flood alleviation scheme. The problem was that there were three schemes nearby: one managed by the environment agency, one by Severn Trent and one by GCC. Flood defences would only be effective if these agencies were in constant dialogue and built a proper partnership.
- One Member thanked the petition organiser and the Cabinet Member for his response. They suggested that Conservative members should lobby the government as they were the ones who could cause the most change.
- One Member noted that the online information distributed by the Environment Agency was often hours late, and suggested that the process needed sharpening so it was genuinely useful for residents.

The Mayor moved to a vote, where it was unanimously:

**RESOLVED THAT:**

- 1. The existing work that the council was doing to reduce flood risk be noted, including already winning accreditation for a nature-led approach to flood risk in development; and that Council commit to work with relevant partners and agencies in managing the impacts of climate change ensuring that the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy plans for the longer term needs of flood management and mitigation;**
- 2. The considerable responsibility of the Council in flood risk management as well as the roles of other organisations be noted;**
- 3. Council thank the petitioners and acknowledge that this was a very important issue.**

**10. TO CONSIDER THE PETITION 'DELAY THE ALL WHEELCHAIR ACCESSIBLE VEHICLE POLICY FOR TWO YEARS'**

The petition organiser, Mr David Chambers, presented the petition on behalf of the taxi drivers of Cheltenham. He noted that when the consultation on the

policy had taken place, there had been no mention of a specific implementation date. Drivers had assumed that the requirement would be to upgrade when they were due for renewal, but this turned out not to be the case. Many drivers had bought new vehicles just prior to that and were still paying for them, making it impossible to save for another.

When the council did make its decision on the implementation date, this was done on the basis that it would give drivers time to adjust, but the last 18 months had changed the situation entirely. For over a year, drivers had received virtually no income due to the pandemic. The officer report cited government support for taxi drivers, but self-employed grants had been based on the previous year's profits, and since there had been a decline in the trade in general, previous profits were negligible and so were the grants.

He stressed that this was not an attempt by taxi drivers to avoid the policy, and that they understood why it was happening. They just expected a greater degree of sympathy from councillors, and to give them the chance to adjust to the change given the wider circumstances. He noted that the officer report suggested that drivers could work for a private hire company instead, which was not financially viable since it would cost drivers an extra £7-8k a year.

In response, the Cabinet Member Customer and Regulatory Services acknowledged that the number of signatures to the petition showed the importance of the issue and the strength of feeling around it. He would happily meet with more members of the trade to hear their concerns. He highlighted the need to consider other parties' interests too, noting that for disabled passengers in London, Birmingham or anywhere in the West Midlands, every single taxi was wheelchair accessible. Cheltenham should aspire to this too, especially considering the presence of a National Star campus in the town, which meant that it had a relatively large disabled population.

The 2010 Equality Act did not specifically require universal WAVs, but it did require the council to advance equality for all individuals in the exercise of its functions. As such, there was a risk of legal challenge on this basis if the authority failed to implement it. 40,000 taxi drivers had so far made the switch, which was a clear majority of all those in England, including 66 in Cheltenham. The date of implementation was agreed shortly after the consultation in November 2018, and the decision was called-in by Overview & Scrutiny and approved by all councillors shortly afterwards. Engagement with all concerned parties would be genuine, but needed to start from a position of equality and respect for disabled people, as was seen elsewhere across the country.

- One Member noted that the WAVs that the drivers were required to purchase were all diesel vehicles, and asked whether the Cabinet Member was concerned that drivers would once again be required to upgrade them to electric vehicles in a few years' time. The Cabinet Member Customer and Regulatory Services responded that the council's goal of all electric vehicles by 2030 meant this certainly needed to be addressed, but the problem was that wheelchair-accessible electric cars were currently prohibitively expensive. He believed that they would fall sharply in price over time as they became more widely

available, and that he would address this in the future alongside the Cabinet Member Climate Emergency.

- One Member asked what the process would be around any possible change to the implementation date. They had a lot of sympathy for the drivers' views, and wanted to know whether Council would input on the date or whether it would be a Cabinet decision. The Cabinet Member Customer and Regulatory Services responded that Council had already approved the policy, and that any tweaks would be relayed to councillors. Nothing was off the table, and he was open to any creative suggestions about how best to suit various interests. He stressed that he had not suggested that the date might change.
- A member asked about the process for review. The Legal Officer explained that the decision regarding this policy was an executive function. Any decision to delay the implementation of the policy was a matter for Cabinet and any decision is potentially subject to called-in by O&S.
- One Member suggested that it was a shame to only have 15 minutes to discuss such an important issue, but that they were pleased with the quality of debate. The taxi community was an important part of the town and members must listen carefully to what they want. If there were grounds for deferral, it should go back to Cabinet and then to Council.
- One Member agreed with the need to take into account a wide range of interests. They suggested that while all members would agree that delivering accessibility for disabled people was hugely important, it was also true that the pandemic had seriously affected the taxi trade, and members needed to show common sense and empathy.
- One Member noted that the policy was an example of the council's equality duty in practice. If a disabled person were to turn up at a taxi rank and there were no WAVs available, they would be being discriminated against. They acknowledged that it was difficult to fund the shift without government grants, and suggested that there should be more support for drivers to help them transition.
- One Member stressed that while the council's duties under the Equality Act were clear, they needed to also be mindful of the extraordinary circumstances of the last 18 months and its impact on drivers, who had been deprived of their livelihood almost overnight. They thanked the petition organiser and signatories for bringing the matter before Council, and suggested that the council needed to be open-minded and consider a delay.
- One Member added that they supported the policy, but that it was important to acknowledge the unprecedented last 18 months and engage with wider partners to hear their concerns. The government's grant schemes had significant gaps in terms of who received support.

The Mayor moved to a vote, where it was unanimously:

**RESOLVED THAT:**

- 1. It be noted that the Cabinet Member for Customer & Regulatory Services continues to support the policy implementation on 31 December 2021, but his intention is to continue engagement and**



**dialogue with members of the public, including through the  
Accessibility Forum, and with members of the licensed trade.**

**11. NOTICES OF MOTION**

There were none.

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

There were none.

Steve Harvey  
**Chairman**