

## Council

Monday, 18th October, 2021  
2.30 - 7.05 pm

Attendees	
<b>Councillors:</b>	Steve Harvey (Chair), Sandra Holliday (Vice-Chair), Victoria Atherstone, Matt Babbage, Dilys Barrell, Jonny Brownsteen, Flo Clucas, Mike Collins, Iain Dobie, Stephan Fifield, Bernard Fisher, Wendy Flynn, Tim Harman, Rowena Hay, Martin Horwood, Peter Jeffries, Alisha Lewis, Chris Mason, Paul McCloskey, Andrew McKinlay, Emma Nelson, Tony Oliver, John Payne, Louis Savage, Diggory Seacome, Jo Stafford, Simon Wheeler, Suzanne Williams and David Willingham

## Minutes

### 1. APOLOGIES

Prior to the formal start of the meeting, a minute's silence was held in memory of Sir David Amess MP.

Apologies were received from Councillors Baker, Barnes, Basset-Smith, Boyes, Britter, Clark, Hegenbarth, Maughfling, Pineger, Sankey and Wilkinson.

The Mayor explained that some of the above Members were not present in the Chamber but would follow proceedings via the YouTube stream.

The Mayor expressed his condolences to Cllr. Sankey at the sudden loss of her father.

### 2. DECLARATIONS OF INTEREST

Cllr. Nelson declared a non-pecuniary interest in agenda item 11. Cllrs. Babbage and Brownsteen declared a non-pecuniary interest in agenda item 14.

### 3. MINUTES OF THE LAST MEETING

Cllr. Brownsteen noted that the reference to a similar '20 is plenty' motion being accepted by Gloucestershire County Council was factually incorrect. Subject to this being corrected, the minutes of the meeting held on 19th July 2021 were approved and signed as a correct record.

### 4. COMMUNICATIONS BY THE MAYOR

The Mayor thanked all Members who had attended the recent Mayor's charity evening and for donations received.

He wished to put on record that Cllr. Angie Boyes had been re-elected as representative in the Chamber of Local Authorities at the Council of Europe.

Finally, the Mayor urged Members to attend Remembrance Sunday on 14<sup>th</sup> November.

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

The Leader reported that Cheltenham Borough Homes had recently submitted a planning application for Cheltenham’s first carbon neutral council houses. This was for 24 properties at 320 Swindon Road, which would be powered by air source heat pumps and energy produced via solar panels. This formed part of of the council’s £180 million investment in housing in the borough, with the declaration of a climate emergency empowering CBH to deliver.

The council was also bidding for funding to upgrade the least energy efficient council houses and using a scheme to test the use of heat pumps in older properties. The council was committed to minimising the use of weedkiller on the streets and was trialling alternative approaches such as rotary pavement sweepers. The Connecting Cheltenham report set out ambitions for the town, and she welcomed the progress being made by the County Council with cycle infrastructure with the long awaited extension of the Honeybourne Line.

Finally, she reported that the Secretary of State for Levelling Up, Housing and Communities had visited the town and had the opportunity to hear about the council’s ambitions with the Golden Valley development. The Secretary of State also visited Gloucestershire College for the purposes of the build back investment.

**6. TO RECEIVE PETITIONS**

There were none.

**7. PUBLIC QUESTIONS**

<b>1.</b>	<b>Question from Tess Beck to the Cabinet Member Culture, Wellbeing and Business, Councillor Victoria Atherstone</b>
	<p>It has been good to see an increase in the numbers of people coming into Cheltenham since lockdown restrictions have relaxed. Unfortunately, with The Wilson still closed until March 2022, there is no Tourist Information Centre.</p> <p>Do the terms of the service level agreement/ contract/ arrangement between Cheltenham Borough Council and The Trust require The Trust to provide Tourist Information Centre services?</p> <p>Is there a commitment by Cheltenham Borough Council/ The Cheltenham Trust to re-instate in-person Tourist Information Centre services when The Wilson re-opens in March 2022?</p>
	<b>Response from the Cabinet Member</b>
	<p>First of all can I thank you for taking the time to submit this question as this is an important issue.</p> <p>The current specification, which forms part of the management agreement, specifies the council’s requirements for the Trust’s contribution to the town’s leisure and culture offer. The requirement to run a tourist information centre is identified within the specification.</p>

	<p>The council has the right to keep the specification under review in accordance with the terms of the management agreement (and in so far as permitted under procurement law) to ensure that it continues to reflect the council's requirements.</p> <p>As such, a review of the specification is underway with recommendations for its revision being brought to cabinet at its December meeting. The revisions will include a review of the requirement for the trust to continue to provide the tourist information centre.</p> <p>The revision will take into account a number of factors that include:</p> <ul style="list-style-type: none"> <li>• The Wilson closed in March 2020 due to the pandemic and will reopen in April 2022 following major refurbishment, that the council has supported. The investment will transform the ground, mezzanine and third floors to improve the venue as a major visitor destination in the town, and to ensure its future financial sustainability.</li> <li>• During the period of closure visitors have accessed information via digital channels. The main portal visited is visitcheltenham.com. In 2017, there were 290,000 visitors to the site. In 2021 this more than doubled with more than 600,000 visiting the site and more than 40,000 followers.</li> <li>• Marketing Cheltenham is currently working on a new pilot that tests an innovative and more agile approach to the provision of visitor information. It is planned to have the pilot in place by Christmas this year. The pilot is funded using the Welcome Back grant funding.</li> </ul> <p>I hope that answers your question</p>
<b>2.</b>	<b>Question from Andrew Cater to the Cabinet Member Waste, Recycling and Street Services, Councillor Iain Dobie</b>
	<p>Council car parks - a few of them have no wheelchair access to the machines - on plinths / too high etc. Would you consider allowing disabled drivers to remain there with Blue badges but without tickets?</p>
	<b>Response from the Cabinet Member</b>
	<p>All Council-owned public car parks (other than the Regent Arcade which does have mobility accessible parking payment machines) are free of charge to blue badge holders for up to 3 hours. Unlike many other local authorities, Cheltenham allows blue badge holders to park for free in any space, in addition to those wider spaces which are specifically designated for mobility parking.</p> <p>Of our 45 parking payment machines, 30 (67%) are either on level ground, or have a dropped kerb to enable access. We are working towards making all of our machines fully accessible, as and when upgrading works are undertaken.</p> <p>All car parks except the Pittville Pump Room and Regent Arcade offer a 'Pay by Phone' app facility, which is available for all users to "top-up" their parking session remotely, if a stay beyond 3 hours is needed.</p>
<b>3.</b>	<b>Question from Andrew Cater to the Cabinet Member Customer and Regulatory Services, Councillor Martin Horwood</b>
	<p>Wheelchair taxi situation is a little crazy. I'd need a private hire car to get my wheelchair into town - usually Dial-a Cab - to find some wheelchair taxis in the middle of town. Can we have some liberalisation for other Private Hire wheelchair accessible vehicles ? Dial a Cab are run off their wheels trying to meet the needs of wheelchair users who can't always use the Cabs on taxi ranks.</p>

	<b>Response from the Cabinet Member</b>
	<p>The authority is aware of the issues disabled users are experiencing trying to access licensed accessible vehicles. We have had conversations with the licenced trade and we know, from this, that the number and availability of wheelchair accessible vehicles have diminished as a consequence of people leaving the trade due to the pandemic and Brexit.</p> <p>The authority is however working on solutions including the potential use of a smartphone app that will connect wheelchair accessible vehicles with users. We are in discussion with a potential supplier and the licensed trade.</p> <p>The recent announcement setting out the authority's ambition to move its hackney carriage (taxi) fleet to electric vehicles, has created the need to develop a new policy and an important feature of this will be ensuring the authority continues to meet its equality obligations. The authority will extensively consult on any future policies with the public, especially disabled users, the trade and with councillors, including the Licensing Committee.</p> <p>In the meantime, the Licensing Section maintains a contact list wheelchair accessible vehicles. Please contact them on <a href="mailto:licensing@cheltenham.gov.uk">licensing@cheltenham.gov.uk</a> or 01242 264135.</p>

## 8. MEMBER QUESTIONS

<b>1.</b>	<b>Question from Councillor Tim Harman to the Cabinet Member Waste &amp; Recycling &amp; Street Services, Councillor Iain Dobie</b>
	<p>My understanding is that the Recycling Skips at Morrisons Supermarket were removed at the request of the Shop. My observation is that other sites such as Bath Road have come under greater pressure particularly with regard to Cardboard .</p> <p>Has the Cabinet Member assessed the impact of the closure of the facility formerly at Morrisons both on door set collections and alternative sites such as Bath Road ?</p>
	<b>Response from Cabinet Member</b>
	<p>As Cabinet Member for Waste, Recycling and Street Services I am committed to providing residents in Cheltenham with the best waste and recycling service we can within available resources and it is very unfortunate that the work at Morrisons in Hatherley has necessitated the removal of the recycling bring banks.</p> <p>Officers are still seeking an alternative site where the bring banks could be safely relocated, however, in the meantime to ensure the other bring bank sites nearby have sufficient capacity to cope with any extra recycling, one additional cardboard recycling bank was already installed some weeks ago at each of the following sites: Sainsbury's in Oakley; Sainsbury's on the Tewkesbury Road and at Bath Terrace car park. This is three extra cardboard bring banks that have already been deployed some weeks ago.</p> <p>I am pleased to say that Cheltenham offers a really good kerbside recycling service to residents. Every fortnight cardboard; paper; glass; plastic bottles, pots, tubs and trays; aluminium cans; steel cans; clean foil; dry textiles and shoes; small electrical items and batteries can all be sorted and put in the kerbside boxes</p>

	<p>for collection from homes. We are also the first local authority to sign up to collecting coffee pods at the kerbside and are the best performing authority out of those delivering this service.</p> <p>Residents don't need to use the bring banks for all the items I have listed, these items can be collected at kerbside although I do understand sometimes we all have an extra quantity or certain items that it is easier to dispose of in the bring banks.</p> <p>I would like to remind everyone that the bring banks are for domestic household recycling items and are not for businesses to use, businesses should have separate arrangements in place for disposal of their waste and recycling. Equally, on the odd occasion where bring banks are full, I am sure my colleagues would support me in urging residents NOT to leave recycling or refuse bags of waste, old doors or other items on the floor.</p> <p>In response to a supplementary question the Cabinet Member confirmed that he would ensure that consideration would be given to supplementary collections at Christmas</p>
<b>2.</b>	<b>Question from Councillor Flo Clucas to the Cabinet Member Customer and Regulatory Services, Councillor Martin Horwood</b>
	<p><u>Tewkesbury Road/Elm Street</u> As the Cabinet Member may be aware, over the last 18 months or so, a number of road traffic accidents have occurred at the above location, requiring both police and ambulances to attend. In addition, emergency service vehicles have not been able to drive down the road and have had to reverse out of it.</p> <p>Recognising that this is a Gloucestershire County Council matter, rather than a Borough Council matter, would the Cabinet member write formally to the County Council Cabinet member responsible, to request an urgent response to residents' requests.</p> <p>Requests are: for warning/advisory signs to be placed at this location; for a 20mph limit to be input in place by means of a temporary TRO.</p> <p>Further that a survey of residents be done to look at a one way system being introduced in the area from Elm Street and Sun Street.</p>
	<b>Response from Cabinet Member</b>
	<p>Thank you for raising this concerning matter with us. A letter to GCC highlighting this can indeed be written, as well as raised through officer channels to investigate the incidents and GCC's review process after an incident occurs. This will complement the letter written in response to the 20 mph motion raised this summer, which asked GCC to consider implementation of 20 mph zones across Cheltenham as a matter of urgency.</p> <p>In response to a supplementary question the Cabinet Member stated that he would incorporate issues relating to traffic flow down Hyde Lane in to the letter to GCC in light of the crash in to the railway bridge earlier that day.</p>
<b>3.</b>	<b>Question from Councillor Stephan Fifield to the Cabinet Member Culture, Wellbeing and Business, Councillor Victoria Atherstone</b>
	The Pump Room is widely advertised as the last place in Cheltenham where it is

	<p>still possible to "take the waters". The mineral water has however been unavailable since the building re-opened to the public, and prior to that there have been concerns for several years about the absence of its distinctive taste. The mineral water is an important part of the Pump Room's heritage and of Cheltenham's history as a spa town. Could the cabinet member confirm when will it be available again?"</p>
	<p><b>Response from Cabinet Member</b></p>
	<p>I agree with Cllr Fifield how important the spa water is to Cheltenham's heritage and that it is unfortunate that tasting the water has not been possible since the pump room reopened as a visitor attraction following its closure due to covid. I am, therefore, really pleased to report that we now have a timescale for making the water available again as part of this popular destination.</p> <p>The council working in partnership with The Cheltenham Trust has recently cleaned the water tank and system and replaced the UV filters. However, the pump required replacement and contractors will therefore be installing a new pump at the bottom of the well on the 29 October.</p> <p>To ensure public safety, the water will need testing to check bacteria levels over the course of two months immediately prior to being available for tasting by the public. It is hoped that the water will be available again for visitors to sample by January 2022.</p> <p>In response to a supplementary question, the Cabinet Member would seek to ensure that the quality of the spa water was considered recognising the concern that it had disappeared over time.</p>
<b>4.</b>	<p><b>Question from Councillor Chris Mason to the Cabinet Member Finance, Councillor Peter Jeffries</b></p>
	<p>Whilst recognising that the COVID pandemic has meant a number of companies and organisations have not been able to keep up with their rental payments. Could the Cabinet Member for Finance please confirm the amount of rent with more than 3-months arrears owed to the Council? Could the Cabinet Member also provide an indication on how confident they are of recovering the rent arrears?</p>
	<p><b>Response from Cabinet Member</b></p>
	<p>The Finance and Property team have been working closely with our tenants over the last six months to ensure we receive rent owed in a timely manner. I am pleased to report that only £7k of rent arrears are overdue by more than three months.</p>
<b>5.</b>	<p><b>Question from Councillor Emma Nelson to the Cabinet Member Finance and Assets, Councillor Peter Jeffries</b></p>
	<p><b><u>Council owned properties</u></b>  What is the current status on the sale of Council owned properties: 30 St Georges Place (formally Shopmobility since 2016, offers in region of £275k) and land at White Hart Street (guide price £20k).</p> <p>With regards to rental properties, I appreciate several properties <b>are</b> currently rented out (Question from Councillor Chris Mason refers) but what is the current situation please regarding <b>vacant properties</b> as advertised on the CBC website as available: First floor office at 53-57 Rodney Road (rental £36k), the remainder of Ellenborough House, and available rental space in Municipal Offices.</p>

	Finally, what are the plans for Delta Place when it becomes available for rent in April 2023 vis a vis possible re-location of Council from the Municipal Offices?
	<b>Response from Cabinet Member</b>
	<p>The sale of the Horse &amp; Groom is continuing and we are working to secure a buyer for the land at White Hart Street.</p> <p>For the rental properties which are currently vacant, we are pursuing a number of strategies to secure tenants. Our properties are advertised on Rightmove, we are working with local agents and conversations are ongoing.</p> <p>No decisions have been made in relation to the re-location of staff and the future of the Municipal Offices. At present, the focus is on understanding the space required for staff as they start to transition into a post COVID work environment.</p> <p>In a supplementary question, Councillor Nelson asked whether there was currently an interested party in the Horse and Groom and asked what the timeline was for completion. In response, the Cabinet Member explained that negotiations were ongoing but he was aware one purchase was close to completion. Responding to a further question on rent free periods for rental properties he explained that this was part of an ongoing conversation with any potential tenant. He would provide Cllr Nelson with a further response once he had consulted with officers.</p>
<b>6.</b>	<b>Question from Councillor Nelson to the Cabinet Member Customer and Regulatory Services, Councillor Martin Horwood</b>
	<p>For clarity for the public and voters please would you explain in simple terms, the process for planning applications with regards to Outline Planning Permission vs Full Planning Permission. Furthermore, when the Planning Officer is considering the application, do they attach a different weighting to objections/ comments from the various Statutory Consultees in deciding whether it should go to Planning Committee or not.</p> <p>I am aware of the 21 day “call in” rule for the local member, please confirm whether this also applies to Applications for Outline Planning Permission and explain why it does <b>not</b> apply when previously approved plans are subsequently fundamentally changed and re-submitted by an applicant? A situation that seems to be occurring more frequently as homeowners seek to potentially overdevelop their properties.</p>
	<b>Response from Cabinet Member</b>
	<p>Applications for outline planning permission seek to establish whether the scale and nature of a proposed development would be acceptable to the local planning authority, before a fully detailed proposal is put forward. This type of planning application allows fewer details about the proposal to be submitted. Once outline permission has been granted, the details will be subject to a further application known as “reserved matters”. By submitting a Full Application however you are seeking complete approval for the design of your proposal (including the amount, scale, layout and appearance of the development, as well as any landscaping) and the approved access arrangements.</p> <p>The procedure for dealing with planning applications and in particular the</p>

appropriate level at which a decision is made is set out in the Council's constitution.

I can confirm that the 21 day "call in" rule does apply to outline applications. To allow a further call in period relating to amendments would present a considerable challenge in terms of planning applications being dealt with in the statutory period and would increase the chances of applicants appealing against non-determination, thereby taking the decision completely out of the Council's hands. Applicants can only make limited changes to a planning application and these are usually in response to officer comments. Extending the call-in deadline not only runs the risk of non-determination but might attract sanctions from government who demand that applications are determined in what they regard as a timely manner.

Where a proposal is "fundamentally" changed it would require submission of a new application which would be subject to the usual call-in procedure. I recognise that the call-in procedure could be more transparent and thus I would like the new digital platform the council is developing to make the council's call-in deadline clearer for both councillors and the public.

In a supplementary question Councillor Nelson questioned the user friendly format of the detailed online planning procedures. She asked whether an application was only presented to Committee if "Called In" by the local member or whether the Planning Officer, initially with "Delegated Decision" authority, subsequently recommend an application go to Full Committee as a result of their detailed examination of the plans, and after taking account of comments and objections from Statutory Consultees? She also sought an answer to her initial question on whether the Officer attaches different weighting to responses from the various Statutory Consultees, for example what weighting is given to objections or comments from the Parish Council, Highways etc?

In response the Cabinet Member recognised that there was a need for a clearer and more transparent presentation of planning processes online which would be addressed via the implementation of the new digital software platform, although this may take some time.

In terms of the criteria for applications coming to committee, he stated that major applications would come before committee without the need for call-in but undertook to provide her the precise legal and constitutional requirements outside of the meeting.

With regard to weighting given to objections, the Cabinet Member stated that all officers have to reach a balanced judgement based on planning law and planning policies. He would provide Cllr Nelson with a technical response in liaison with planning officers.

## **9. APPOINTMENT OF INTERIM MONITORING OFFICER**

The Managing Director Place and Growth introduced the report on behalf of the Chief Executive.

He explained that formal notification was received by the council in June from Tewkesbury Borough Council terminating the Secondment Agreement of the Monitoring Officer (MO). A review of potential options, (including the possibility

of sharing with another authority) to fill the post was then considered and the Appointments & Remuneration committee met at the end of September and recommended to Council to appoint an interim Monitoring Officer for a period of approximately 6 months (subject to a permanent recruitment). This would allow for a further assessment of need, particularly in light of the council's current organisational review.

A panel was established to recruit to the interim role and that panel unanimously recommended that Howard Norris be recommended for Council appointment.

#### **RESOLVED (unanimously) THAT**

**With immediate effect, Howard Norris be appointed as interim Monitoring Officer for the Borough Council in accordance with section 5 of the Local Government and Housing Act 1989. This will be for an period of approximately 6 months or until a permanent MO is recruited.**

**It be noted that following the completion of an appropriate review, the Appointments & Remuneration (A&R) sub-committee will progress with the recruitment of a permanent MO to be put forward to Full Council for approval in due course. If CBC elects to appoint a permanent MO shared with another authority, interview panels will be agreed in consultation with the A&R sub-committee and partnering authority.**

#### **10. INTERIM REVIEW OF POLLING DISTRICTS, PLACES AND STATIONS**

The Electoral Registration Officer introduced the report and first reflected on the elections which were held in May 2021. The combination of four elections led to the generation of 118,000 ballot papers for verification and counting, notwithstanding the complications posed by the global pandemic. As a consequence of the latter, some of the venues were not available due to health and safety considerations and in some cases alternative venues for school premises were found, due to the disruption to education.

As the acting Returning Officer for the constituency of Cheltenham, in light of the above, he had requested a review of polling districts, places and stations to comply with the authority's statutory duty. The formal commentary with regard to existing polling stations and those which may be used in future was detailed at Appendix B of the report.

Further to the closing date he had considered comments received as outlined in Section 2 of the report. He confirmed that those comments had been factored into the final determinations as set out in the recommendations.

The Leader wished to put on record her thanks to the Electoral Registration Officer for the important review which had been undertaken and the changes proposed, which would benefit residents.

In response to a question, the Electoral Registration Officer explained that in the case of Lakeside School in Up Hatherley, parents and voters had requested the church as the alternative polling station venue, despite it not being in the ward.

Members recognised that out-of-area polling stations did occur elsewhere in the borough. Other Members regretted the move away from schools as it provided children the sight of democracy in action.

The Mayor wished to put on record his thanks to the Electoral Registration Officer and the Elections team for their work in conducting the elections in May 2021.

**RESOLVED (unanimously) THAT**

**The following be approved :**

**Charlton Park Ward, polling district EB – move the polling station from Leckhampton Baptist Hall, Pilley Lane to Squash Court, Old Patesians Sports and Social Club, Everest Road**

**Charlton Park Ward – merge polling district ED with polling district EB**

**Lansdown Ward, polling district HC – move the polling station from St Gregorys RC School, Knapp Road to The Old Priory Room, St Gregorys RC Church, Clarence Street**

**Leckhampton Ward, polling district IA – move the polling station from Zion Hall, Pilley Lane to Leckhampton Baptist Hall, Pilley Lane**

**Leckhampton Ward, polling district IB – retain polling station at Leckhampton Primary School**

**Leckhampton Ward, polling district IC - move the polling station from Leckhampton Primary School, Hall Road to The Pavilion, Burrows Field, Moorend Grove**

**St. Mark's Ward, polling district OA – retain polling station at Rowanfield Junior School**

**Up Hatherley Ward, polling district SA - move the polling station from Lakeside Primary School, Hatherley Road to St Philip and St James Church Centre, Cold Pool Lane**

**11. SAFETY OF WOMEN AT NIGHT**

The Cabinet Member Safety and Communities introduced the report and thanked officers involved in the issue. She noted that the police had also agreed to attend a seminar with Members if they so wish. She hoped that the Home Office funding being bid for would help, but noted that there were also things that could be done without funding to ensure that the concerns of women in the town were not ignored.

These included using licensing policy to ensure that staff in pubs and restaurants knew what to do when approached about drink spiking and general harassment, and working with both teachers and pupils in schools to reduce abuse. With the funding from the OPCC there would also be money from more security cameras and the development of an app for people to anonymously

report abuse. She stressed that women needed to feel safe when walking around the town.

In response to Member questions, the Cabinet Member stated that they were working with the Police and Crime Commissioner to ensure that women knew they could report sexual harassment and see real action. There was also confirmation that if the grant was awarded it would need to be spent by March 2022. She assured Members that regardless of the success of the bid, the council would make the streets safer for women.

The matter then went into debate where the following points were raised:

- The Chair of Licensing Committee emphasised his full support for the measures.
- Poor design of new buildings was a factor in both men and women feeling unsafe.
- There needed to be joined-up reporting of people who are dangerous. As part of the Night Safe scheme there was a centralised list of people excluded from establishments, and all of them are men.
- International action was needed on the subject of social media as online abuse can cause significant mental health problems.
- Women should not feel the need to be escorted home.
- Better lighting in public areas like parks would improve the situation.
- The council should work with GCC to deliver safer streets.

The debate concluded with cross party thanks to the Cabinet Member for her work on this issue.

## **RESOLVED THAT**

- 1. The results of the survey as set out in section 2 be noted.**
- 2. The submission of the grant application to the Home Office as set out in section 3 be noted.**
- 3. Cabinet be requested to consider the proposals to progress a range of projects, set out in para 7.2 onwards, should the bid not be successful.**

## **12. ANNUAL REPORT ON OVERVIEW AND SCRUTINY**

The Chair of Overview and Scrutiny, Councillor Chris Mason, introduced the report and highlighted the breadth of subject matter the committee had examined. He thanked former Members of the committee and existing ones and the Democratic Services team for their support.

He believed the committee was now challenging Cabinet Members to a greater degree and there was increased input as policies were being developed.

In the debate that ensued, the Leader wished to put on record her thanks to Members who serve on the committee and welcomed the changes which had taken place in terms of holding the executive to account.

Thanks were also given to the Chair of O&S for his hard work in preparing the meetings and the respect in which business was conducted.

**RESOLVED (unanimously) THAT**

**the Annual Report of Overview and Scrutiny 2020-21 be noted.**

**13. NOTICES OF MOTION**

**Motion A**

**This council:**

**- recognises the value of local green space to fighting climate change, promoting biodiversity, combatting particulate pollution and cleaning our air, providing areas of tranquillity and increasing the physical and mental wellbeing of local people;**

**- therefore welcomes the inclusion since 2012 of the Local Green Space designation for green areas of local community value in the National Planning Policy Framework (NPPF)**

**- further welcomes and reiterates its support for the designation of Local Green Spaces (LGS) through the Cheltenham Plan of 16 Local Green Spaces at Swindon Village, Fairview Green, St Mark's, Lynworth Green, Albemarle Orchard Gardens, Colesbourne Road, Harrington Drive, George Readings Way, Henley Road, Newcourt Green, Cheriton Park, Holmer Park and Greatfield Park, Pilgrove Way and the Leckhampton Fields;**

**- Recognises that most if not all of these Local Green Spaces have been designated thanks to campaigns fought over many years by local communities, campaigners and residents, Parish Councils and ward councillors;**

**- Notes that all LGS sites have been tested through public examination and have been found to meet the criteria in the NPPF and that the Cheltenham Plan Inspector's acceptance of the LGS sites has also been supported by the courts and the period for legal challenge has now passed.**

**On that basis, this council declares its intention to defend all the LGS sites in future plan-making processes, whether at JCS, local or neighbourhood level. Should zoning be introduced in any government changes to the planning system, this council will regard LGS sites as being protected areas alongside the Cotswolds Area of Outstanding Natural Beauty and other protected areas.**

**This council further resolves to contact the Department for Levelling Up, Housing and Communities and our local MPs urging them to protect the Local Green Space designation**

The motion was proposed by Cllr. Horwood and seconded by Cllr. Fisher.

In proposing the motion, Cllr. Horwood explained the importance of local green spaces (LGS) as a valuable commodity for simple enjoyment and getting people away from looking at screens all the time. It was a great illustration of inter-party working due to the 2012 coalition national policy framework to protect green spaces. The council had made full use of this policy and it gave proper protection to LGS so local communities did not have to fight to protect their green spaces. He stressed that there should be pride that new homes were being built whilst preserving local green spaces. The motion was brought to Council as there may be changes to the planning system at a national government level. He urged Members to contact the Department for Levelling Up, Housing and Communities to protect green space policy going forward, and reiterated that the motion was a clear declaration that LGS were not up for grabs.

The Mayor moved to debate, where Members made the following points:

- It was not just local green spaces that needed protection, but also local wildlife sites. Hopefully, the 6 local wildlife sites would become part of the Local Cheltenham Plan, as well as a few parks that were not protected.
- LGS were particularly important during lockdown for recreational purposes.
- Members thanked Cllr. Horwood for his work on the subject.
- Concern was raised over Henley Road LGS and its proximity to the West Cheltenham development. This area was important to the existing residents and for new occupiers of the new development.
- Building new homes was important, but there needed to be just as much emphasis on local green spaces. During lockdown these spaces were invaluable to both physical and mental health, especially to those without gardens.
- There was a need to look at the sites that were unprotected and how to protect them.
- Friends groups provided a lot of support at Winston Churchill Gardens and the Honeybourne Line.
- It was important to ensure proper protection for green corridors.
- The land behind the school at Alstone Lane was earmarked for development and it was the Council's responsibility to ensure that the land was not over developed. The same applied to Lansdown North.
- The need to protect local green spaces needed to be balanced with the need for housing.
- Members congratulated the 6 parks which had won Green Flag awards.

Cllr. Fisher then spoke on the motion as seconder. He gave his thanks to Cllr. Horwood and a number of former members for the hard work that they had put in to this issue. Green space was the future, and he hoped that West Cheltenham would have plenty of it as the largest development in Cheltenham in some time.

Cllr Horwood then summed up the points that were made and thanked Members for their input to the debate.

The motion was unanimously approved.

**Motion B**  
**Emergency Situation in our Hospitals**

**Council, in supporting this motion, thanks the hard-working staff of our local NHS trust, and those working more widely in social care in our town, for the ways they have gone above and beyond to care for us in this time of crisis. It laments the dangerous overwork of many staff required to maintain even the current level of care and extended waiting times and calls on the government to provide our trust with the support it needs to provide better care and shorter wait times safely.**

**Recent reports in national newspapers concerned Gloucestershire Hospitals Trust declaration of a Black Alert, which was declared on 19th September and lasted until 5th October. A Black Alert is used when patients are at serious risk and their safety cannot be guaranteed by the Trust, nor can the Trust provide normal services.**

**In view of the impact on Cheltenham residents, and those of the wider East Gloucestershire area which CGH serves, of such a lengthy Black Alert, Council is requested to:**

**Ask the Leader of the Council to write to the Secretary of State, Care Quality Commission and the HOSC outlining Council's concerns, which are:**

- 1. Why was the Black Alert not made known to HOSC?**
- 2. Why has the Trust not been open about this with the public?**
- 3. How does the Trust expect to retain staff when it is placing such intolerable pressure in them?**
- 4. How will the Trust retain staff when winter pressures worsen in January and February?**
- 5. How will the Trust support and help the ambulance service?**
- 6. With long term staff retiring, how is the Trust going to recruit more staff?**

**Further, that the O&S Committee be requested to convene an emergency meeting with GHT, to raise these matters with the Hospital's Trust Chief Executive and Medical leads.**

The motion was proposed by Cllr. Clucas and seconded by Cllr. Payne.

In proposing the motion, Cllr. Clucas stressed the importance of uniting as a council across political divides. The motion related to the Black Alert declared by the ambulance service, and expressed concerns about the NHS Trust's use of resources and the pressures upon it.

The Mayor moved to debate, where Members made the following points:

- The motion drew attention to a significant issue, and this was an appropriate use of the council's scrutiny process. The Chair of Overview & Scrutiny agreed that the committee should hear from the Trust.
- Local issues within the health service were well known and had been of concern for a long time.
- The motion was harshly worded and Members had not been given enough time to scrutinise it in detail.
- A Black Alert was a sign of a dire situation where the safety of patients could not be guaranteed.

The motion was slightly amended to clarify that it was asking the Leader to write to various subjects about the council's concerns, and to clarify that the meeting with the trust would be organised by the O&S committee.

A more significant amendment to the motion was proposed by Cllr. Lewis and seconded by Cllr. Flynn. The amendment was rejected by Members, but it was agreed that one paragraph of the amendment, which thanked those working for the NHS Trust and more widely in social care, lamented the overwork of staff required to maintain even the current level of care, and called on the government to provide the Trust with the support it needed, be incorporated in to the start of the substantive motion.

In seconding the motion, Cllr. Payne suggested that the issues faced by the local Trust had to be structural, at least in part. The council had a responsibility to do all it could to improve the situation. He was satisfied that the amended motion, taking into account the amendment submitted by Cllr. Lewis, covered the whole issue.

Cllr. Clucas thanked Members for their contributions to the debate.

The motion was approved, as amended.

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

None.

**15. LOCAL GOVERNMENT ACT 1972 -EXEMPT INFORMATION 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)**

**16. A FINANCIAL MATTER**

The Leader introduced the report, which related to an exempt financial matter. Members commented on the report and asked questions, to which the Head of Property, Finance and Assets responded.

The Mayor moved to the vote, where the recommendations were approved.

Steve Harvey  
**Chairman**