

COTSWOLD DISTRICT COUNCIL

CABINET

15TH OCTOBER 2015

Present:

Councillor Lynden Stowe - Chairman
Councillor NJW Parsons - Vice-Chairman

Councillors -

Sue Coakley Mrs. SL Jepson
C Hancock

Observers:

SI Andrews JA Harris (until 5.20 p.m.; invited to
Mark F Annett (until 4.35 p.m.) speak on Minute CAB.43)
Miss AML Beccle M Harris (until 4.30 p.m.)
AW Berry Juliet Layton (invited to speak on
AR Brassington Minute CAB.43)
Alison Coggins RG Keeling
BS Dare (until 4.30 p.m.) Tina Stevenson (until 5.15 p.m.)
RW Dutton

CAB.38 DECLARATIONS OF INTEREST

There were no declarations of interest under the Code of Conduct for Members or Section 106 of the Local Government Finance Act 1992.

There were no declarations of interest under the Code of Conduct for Officers.

CAB.39 MINUTES

RESOLVED that the Minutes of the Meeting of the Cabinet held on 17th September 2015 be approved as a correct record.

Record of Voting - for 5, against 0, abstentions 0, absent 0.

CAB.40 PUBLIC QUESTIONS

No public questions had been received.

CAB.41 MEMBER QUESTIONS

No questions had been submitted by Members.

CAB.42 LEADER'S ANNOUNCEMENTS

There were no announcements from the Leader.

CAB.43 NOTICE OF MOTION - HIGHWAYS FUNCTIONS

The Cabinet was requested to consider the following Motion, referred by the Council from its Meeting on 29th September 2015, that requested the establishment of a Working Group to review how the Council and its partners could assist Gloucestershire Highways in delivering a quality service in the area, particularly in respect to more minor issues concerning civic pride. The Motion had been Proposed by Councillor JA Harris and Seconded by Councillor Jenny Forde:-

'Council notes that, in austere times, there is pressure on all Councils and public authorities to deliver effective, efficient and quality services and that, where possible, authorities should work together to achieve these aims.

Council notes the current pressure on Gloucestershire Highways to maintain the road network across the County and the Cotswolds.

Council further notes that, due to efficiency measures imposed on Gloucestershire Highways, more minor responsibilities such as cleaning road signs, dealing with overgrown vegetation, cutting verges, removing weeds from the kerb channel and removing old infrastructure are often neglected and that this lets our beautiful area down.

Council therefore resolves to set up a Working Group to review how the Council and its partners can assist Gloucestershire Highways in delivering a quality service in the area, particularly in respect to more minor issues concerning civic pride.'

In accordance with the Council's procedures and custom and practice, Councillors Harris and Forde had been invited to attend the Meeting to present and speak to their Motion. In the absence of Councillor Forde, Councillor Juliet Layton Seconded, and was invited to speak to, the Motion.

Councillor Harris thanked the Head of Environment and Commercial Services for her report which, he considered, reflected the intentions of the Motion. He stated that he received a lot of complaints from, and issues raised by, his constituents, many of which related to highways issues such as weeds, dirty signs and overhanging vegetation. Councillor Harris was aware of the problems in getting those issues addressed by Gloucestershire Highways and suggested that budgetary constraints on the County Council often meant that 'minor' highways issues were not addressed.

Councillor Harris explained that the Motion sought to establish a Working Group to consider the various issues and to make recommendations for the future. He reminded the Cabinet that most of the District was in the Area of Outstanding Natural Beauty (AONB) and he concluded by suggesting that the Council should help to look after highways and the infrastructure as well as buildings which, he considered, would help to ease the burden on Gloucestershire Highways.

Councillor Layton was invited to address the Cabinet, and formally Seconded the Motion. Councillor Layton stated that she agreed with the comments at paragraph 3.2 of the circulated report relating to the scope for Ubico Ltd. to become involved in the delivery of services on behalf of the County Council.

Councillor Layton commented that Ubico staff were out and about around the District on a daily basis and would, in her opinion, be able to respond quickly and more cheaply than Gloucestershire Highways staff. Councillor Layton concluded by stating that something needed to be done to address the problems being experienced.

In response, the Cabinet Member for Health, Environment and Communities thanked Councillor Harris for his acknowledgement of the work undertaken in this respect by the Head of Environment and Commercial Services. The Cabinet Member reminded the Cabinet that Gloucestershire County Council was responsible, and held a budget, for highway maintenance and suggested that, if that budget was not being allocated as Councillor Harris might wish, he should raise the matter with the County Council. The Cabinet Member also referred to the 'Cleaner Cotswolds' budgetary allocation of £2,000 per Ward Member, and reminded the Cabinet that this was a specific allocation for the types of works referred to in the Motion. The Cabinet Member stated that she would be happy to support any Ward Member who was experiencing difficulty deciding how to allocate their funding.

The Cabinet Member explained that Ubico Ltd. would have to engage additional resources to carry out any highways works, which would require a contract between that Company and the County Council. The Cabinet Member stated that the establishment of any Working Group to discuss a co-ordinated approach would be better done at Town/Parish Council level. The Cabinet Member cited an example in Lechlade where the Town Council carried out grass cutting on two roundabouts on behalf of the County Council and contended that such an approach represented an effective way of carrying out the work and achieving value for money.

The Cabinet Member reiterated the view that it would be better for those Town/Parish Councils which employed their own resources to offer to undertake highways work on behalf of the County Council and to discuss those issues directly with the County Council. The Cabinet Member contended that the involvement of this Council would require additional resources and would not add value to any such discussions, and that this Council's arrangements were adequate. The Cabinet Member concluded by suggesting that the Cabinet should note the Motion but take no further action at this time.

The Cabinet acknowledged that there were highways maintenance issues, as explained by Councillor Harris. However, Members expressed concern at the Council seeking to take on the responsibilities of another body for reasons relating to the impact on Council Tax payers. It was considered that the Council could seek to encourage a co-ordinated approach in respect of 'minor' highway maintenance issues, particularly along Ward boundaries, and that this should be raised at the forthcoming Town/Parish Council Liaison Meetings.

It was further considered that County Councillors should lobby over highway maintenance issues on behalf of their constituents. The Leader of the Council stated that County Councillors had a budget allocation of £22,500 to spend within their Divisions which could be used to address local priorities set by the appropriate Town/Parish Councils, and he urged Ward Members to have a dialogue with their County Council colleagues.

Councillor Harris stated that he was disappointed at the Cabinet's response to the Motion. He contended that it was disingenuous to suggest that County

Councillors were not doing all they could to achieve the best deal for the area and stated that he had spent his allocation on resurfacing schemes within his Division. Councillor Harris agreed that Council Tax payers should not be taxed twice but expressed the view that this issue would not require a huge resource.

Councillor Layton cited an example in her Ward where a quote for some work from Ubico Ltd. had far exceeded a quote provided by a local tradesman, and the Leader asked Councillor Layton to supply details of those quotes so that this matter could be investigated to ensure that it was not a 'typical' Ubico costing. The Leader commented that part of the outcome of the devolution bid for Gloucestershire could be the devolving of some County Council functions, and suggested that this matter should be discussed at that point in time. The Leader contended that currently there were clear delineations over the responsibilities of the various tiers of local government and that problems relating to highway maintenance were best vented at Shire Hall at the moment.

RESOLVED that:

(a) the Notice of Motion be noted, but no further action be taken at this time;

(b) Ward Members be encouraged to ensure that their £2,000 'Cleaner Cotswolds' budget allocation is spent appropriately, and to engage with their respective County Councillors to address local priorities.

Record of Voting - for 5, against 0, abstentions 0, absent 0.

CAB.44

LOCAL PLAN REG. 18 CONSULTATION : PLANNING POLICIES

The Deputy Leader of the Council and Cabinet Member for Forward Planning introduced this item.

The Cabinet was requested to consider the draft Local Plan Reg.18 Consultation : Planning Policies document. The Deputy Leader explained that this was a technical document detailing the development management policies proposed in relation to the emerging Local Plan. As the emerging Local Plan was governed by the National Planning Policy Framework (NPPF), none of the NPPF policies had been repeated in the draft document. The Deputy Leader reminded the Cabinet that those policies would help to deliver the Local Plan Objectives. However, the Objectives, which had been addressed in a previous consultation, did not form part of this proposed consultation and the representations made in respect of the Local Plan Objectives would be considered as part of the consideration of the Local Plan Reg.19 considerations (Pre-Submission Local Plan) in 2016.

Arising on the Draft Consultation Document

(i) Introduction (Page 5)

The Deputy Leader explained that the Introduction was a key part of the consultation document and drew particular attention to paragraph 1.6 relating to Neighbourhood Development Plans.

(ii) Paragraph 1.8

The Deputy Leader reiterated that this consultation would seek comments on emerging, non-strategic policies which would be used by the Council in its assessment of planning applications.

(iii) Paragraph 1.16

The Deputy Leader drew attention to one of the purposes of the consultation and explained that the consultation document would be adjusted in light of any on-going changes to Planning Policy Guidance (PPG).

(iv) Paragraph 1.19

The Deputy Leader repeated that this consultation document did not address any of the representations made in respect of the Local Plan Objectives, development strategy or site allocations. Those representations would help to inform the next stage of the Local Plan in Spring 2016.

(v) Paragraphs 1.20 - 1.27

The Deputy Leader drew attention to the available formats for responding to the consultation and stated that the best way to submit comments would be on-line, as all comments submitted in that way would go directly to the appropriate section in the document.

It was suggested that paragraph 1.26 be inserted immediately after paragraph 1.24.

(vi) Development Boundary Issues

It was reported that the Development Boundaries had been up-to-date when the draft document had been published and that Officers would continue to amend the document to take account of planning permissions granted up to the time of submission to the Secretary of State. Members were requested to notify Officers of any errors in the document in that respect and it was noted that the document would also be amended in light of any appeals that were allowed by the Planning Inspectorate.

It was also reported that the inclusion of sites granted planning permission or allocated for housing in the Local Plan Development Boundaries could be justified. It was noted that it would be inappropriate to exclude land within built-up areas from Development Boundaries where planning permission had been refused.

(vii) Paragraph 2.1

The Deputy Leader drew attention to the statement in the draft consultation document relating to Local Plan Policy DS1 - Development Within Development Boundaries.

(viii) Paragraph 2.6

It was noted that only one of the three facilities detailed at Point 1a, relating to 'Residential Development Outside Cirencester and the Principal Settlements', was required to be met and it was suggested that Point 1b be amended to include reference to 'bus services to Service Centres in adjoining local authority areas' as well as to 'Cirencester or a Principal Settlement that facilitate trips during normal employment hours'. Those issues would be addressed through the suggested delegation, subject to recommendation (b) within the circulated report being subsequently approved by the Cabinet.

(ix) Policy H1 - Affordable Housing in the Principal Settlements

A Member questioned whether this Policy would enable the quota of affordable housing to be provided across the District, to reflect where people desired to live. The Member suggested that this issue should be considered in a broader context rather than on a site-by-site basis, and that Housing Needs Assessments could support proposals for affordable housing in some areas.

The Cabinet was reminded that decisions on the mix of tenures were 'political' and, in that context, further Government advice was awaited. Concern was expressed that the current recording process was open to duplication and that a reduction in the cost of affordable housing could help to address the problems of 'affordability'.

The Deputy Leader explained that Policy H1 was a District-wide policy currently requiring up to a maximum of 50% of a development to comprise affordable housing, though that figure could well change, subject to viability.

(x) Paragraph 3.17

It was noted that a requirement had been suggested under Policy H2(4) (Housing Mix and Tenure) that, on sites of 20 or more dwellings, 5% of plots should be made available for self-builders but, in that context, further Government advice was awaited.

(xi) Policy 3.5 - Residential Care Accommodation

It was suggested that this Policy should be amended to clarify whether there would be a requirement for residential care homes to be wholly occupied by people with 'local' connections, and the situation in respect of 'private' care homes.

(xii) Paragraph 3.32

It was reported that developers would need to provide care homes that accorded with Gloucestershire County Council and the NHS Gloucestershire plans.

(xiii) Policy H6 - Removal of Occupancy Conditions

It was suggested that the wording of this Policy be amended to clarify that all three of the points detailed were required to be met in relation to removal of occupancy conditions outside an area where Policy SP5 applied.

(xiv) Paragraph 9.19

A Member expressed concern over the potential future interpretation of the wording of this paragraph.

RESOLVED that:

(a) the Local Plan Reg. 18 Consultation Document : Planning Policies be approved for consultation, as amended;

(b) the Deputy Leader of the Council and Cabinet Member for Forward Planning be authorised to approve any outstanding matters, including minor amendments to the consultation document, prior to the start of the public consultation period;

(c) subject to resolutions (a) and (b) above, the consultation document be made available for public comment, together with (i) the Sustainability Appraisal; and (ii) the Habitat Regulations Assessment; for a period of at least six weeks, commencing during November 2015.

Record of Voting - for 5, against 0, abstentions 0, absent 0.

CAB.45 CONTRACT RULES

The Cabinet Member for Enterprise and Partnerships introduced this item.

The Cabinet considered a report detailing suggested amendments to the Council's Rules relating to Contracts. It was reported that the Rules had been amended to take account of recent changes in legislation, and it was noted that application of the 'Procurement and Contract Management Strategy' and compliance with the Council's Financial and Contract Rules, would ensure that the Council's procurement activity was conducted in compliance with statutory regulations and would help to mitigate against the risk of fraud and corruption. In response to a question, it was further reported that the Rules would be common across the GO Shared Services Partnership and it was suggested that a definition of 'a light touch regime' be included in the 'Definitions' section.

RESOLVED that the updated Contract Rules, as amended, be approved.

Record of Voting - for 5, against 0, abstentions 0, absent 0.

CAB.46 DRAFT CORPORATE STRATEGY 2016-2019

The Leader of the Council introduced this item.

The Cabinet was requested to consider the draft Corporate Strategy 2016-2019 as a basis for consultation. The Leader explained that the Council's Aims and Priorities had been updated following the recent District Council elections and that the document would constitute a benchmark for measuring progress during the life of the current Council.

RESOLVED that:

(a) the draft Corporate Strategy 2016-2019 be approved as a basis for consultation;

(b) a further report be submitted to the Cabinet at its Meeting on 18th February 2016 detailing the outcomes of that consultation, the final Corporate Strategy 2016-2019 being recommended to the Council for consideration and approval.

Record of Voting - for 5, against 0, abstentions 0, absent 0.

CAB.47 COTSWOLD DESTINATION MANAGEMENT ORGANISATION FUNDING

The Cabinet Member for Enterprise and Partnerships introduced this item.

The Cabinet was requested to consider an allocation towards the start-up costs of the Cotswold Destination Management Organisation (DMO). It was reported that three years' funding for the DMO had been included in the existing base budget.

RESOLVED that the allocation of three years' funding to support the establishment of the Destination Management Organisation be approved.

Record of Voting - for 5, against 0, abstentions 0, absent 0.

Note:

The Chief Executive thanked the Head of Leisure and Communities for her work in relation to the establishment of a DMO.

CAB.48 TOUR OF BRITAIN 2016

The Leader of the Council, and the Cabinet Member for Enterprise and Partnerships, introduced this item.

The Cabinet was requested to consider a contribution towards the cost of hosting a 'Gloucestershire' stage of the Tour of Britain 2016. Each of the Gloucestershire local authorities wishing to be involved in a stage had been requested to make contributions in a sum of £10,000, with those authorities seeking start/finish hosting rights being requested to contribute larger sums.

It was considered that this was a worthwhile project for the Council, with ancillary events linking in with and creating public participation and that a contribution, as suggested, would ensure that any Gloucestershire stage would pass through a part of the District.

RESOLVED that a financial contribution in a sum of £10,000 be made available from the Council Priorities Fund to support the County-wide bid to host a stage of the Tour of Britain cycle event in 2016.

Record of Voting - for 5, against 0, abstentions 0, absent 0.

CAB.49 HOME IMPROVEMENT AGENCY - FUTURE ARRANGEMENTS

The Cabinet Member for Planning and Housing introduced this item.

The Cabinet was requested to consider future arrangements for the Home Improvement Agency service (HIA). The Cabinet was reminded of the background to the HIA and the services provided. The current contract was

due to expire on 31st May 2016 and it was reported that Gloucestershire County Council was currently reviewing procurement of the service on behalf of the Gloucestershire District Councils, and a draft specification had been circulated to those Councils who were seeking further information and evidence to enable them to fully evaluate the draft specification. As a result, it had been suggested that the current contract be extended for a period of up to fourteen months, which would allow time for the partners to agree a procurement process, contract and partnership agreement for a replacement service, having tested the market, or make arrangements to terminate the current service in a managed way. It was noted that, if the Cabinet was minded to agree to an extension of the current HIA contract, a waiver of the Contract Procedure Rules would be necessary.

In response to a question, it was reported that 282 enquiries had been received by the HIA service across the District during the period April-July 2015, with 278 of those enquiries being investigated further. It was considered that the HIA service provided vital support for householders who needed help to remain in their own homes. However, concern was expressed at the average costs per householder helped in the District and it was suggested that the Strategic Director, in consultation with the Cabinet Member for Planning and Housing, should ensure that the service provided value for money.

RESOLVED that:

- (a) the report be noted;**
- (b) the Council continues to fund an interim Home Improvement Agency service for up to fourteen months from when the contract with the existing provider ends on 31st May 2016;**
- (c) a waiver be granted to Contract Procedure Rules to allow an extension of the current service for up to fourteen months from 31st May 2016;**
- (d) the Council continues to be a partner in the Gloucestershire procurement process for a new Home Improvement Agency service;**
- (e) the Strategic Director, in consultation with the Cabinet Member for Planning and Housing, be authorised to agree the terms and costs of the extension of the current service at resolution (b) above within the District, for the interim period;**
- (f) the Strategic Director, in consultation with the Cabinet Member for Planning and Housing, be authorised to agree the appointment of a new contractor and sign the legal contracts.**

Record of Voting - for 5, against 0, abstentions 0, absent 0.

CAB.50

SCHEDULE OF DECISIONS TAKEN BY THE LEADER OF THE COUNCIL AND/OR INDIVIDUAL CABINET MEMBERS

The Cabinet noted a Schedule detailing decisions taken by the Leader of the Council.

CAB.51 ISSUE(S) ARISING FROM OVERVIEW AND SCRUTINY AND/OR AUDIT

There were no issues arising from Overview and Scrutiny and/or Audit.

CAB.52 OTHER BUSINESS

There was no other business that was urgent.

The Meeting commenced at 4.05 p.m. and closed at 5.35 p.m.

Chairman

(END)