

COTSWOLD DISTRICT COUNCIL

COUNCIL MEETING

27TH FEBRUARY 2014

Present:

Councillor Sir Edward Horsfall - Chairman
Councillor Clive Bennett - Vice-Chairman

Councillors -

Mark F Annett	Mrs. Sheila Jeffery
Julian Beale	EGJ Jenkins (until 11.00 a.m.)
JGK Birch	Mrs. SL Jepson
DC Broad	Ms JM Layton
John Burgess	AJ Lichnowski
PCB Coleman (until 12.10 p.m.)	DJ Nash
DE Collier	Jim Parsons
Mrs. VB Crosbie Dawson	NJW Parsons
BS Dare	David Penman (until 1.04 p.m.)
RW Dutton	Mrs. M Phillips (until 1.04 p.m.)
David Fowles	Mrs. MS Rickman
BD Gibbs	Lee Searles
JA Harris	GM Selwyn
Mrs. DE Hicks	Lynden Stowe
Mrs. JL Hincks	R Theodoulou
SG Hirst	Mrs. CH Topple
PR Hodgkinson	M Wardle
JP Hughes	LR Wilkins

Apologies:

Sandra Carter	RP Hooper
Sue Coakley	RL Hughes
C Hancock	Mrs. Carolyn Nicolle

CL.58 DECLARATIONS OF INTEREST

- (i) Councillor PR Hodgkinson declared an 'other' interest in respect of Agenda Item (11) (Treasury Management Strategy 2014/15) because, some years previously, he had had a commercial relationship with one of the investment counterparties.
- (ii) Councillor BS Dare declared a Disclosable Pecuniary Interest in Agenda Item (11) (Treasury Management Strategy 2014/15). Councillor Dare left the Meeting during the consideration and determination of that item.
- (iii) Councillor Mark Wardle declared 'other' interests in respect of Agenda Items (13) (Review of Licensing Probity Guide) and (14) (Adoption of Late Night Levy and/or Early Morning Restrictions Order Powers), because he was

currently engaged as a supplier of goods and services to the Licensed trade within the District.

There were no declarations of interest by Officers.

CL.59 MINUTES

RESOLVED that the Minutes of the Meeting of the Council held on 17th December 2013 be approved as a correct record.

Record of Voting - for 31, against 0, abstentions 6, absent 7.

CL.60 ANNOUNCEMENTS FROM THE CHAIRMAN, LEADER OR HEAD OF PAID SERVICE

(i) Mr. Les Garner - The Chairman reported, with regret, the recent death, at the age of 79, of former Custodian Les Garner. The Chairman welcomed to the Meeting members of Mr. Garner's family, two of whom had also worked for the Council in the past. The Chairman outlined Mr. Garner's service to the Council and invited Members and Officers to join with him in a period of silence as a mark of respect. When Mr. Garner had left the Council, he had kindly donated two of his paintings, which had taken pride of place in the Chairman's office - and had been placed on display in the Chamber for all Members to view. As a further memory of Mr. Garner, the members of his family in attendance had presented a further painting, which was also on display. On behalf of the Council, the Chairman expressed regret at the sad loss of Mr. Garner, along with delight to accept the additional painting in his memory.

(ii) Ms Rosemary Lynn - The Chairman explained that this Meeting would be the last occasion when all Councillors would come together before Ms Lynn left the Council. The Chairman outlined Ms Lynn's career since joining the Council in March 1998, as Training and Development Officer. In July 2002, she had taken up a partial secondment role as Community and Access Manager; became Community Health and Housing Manager in April 2005; and had been in her current role as Head of Sustainable Communities and Housing since November 2009. Ms Lynn had worked on many projects improving the health and well-being of residents in the Cotswolds and the Chairman listed some examples of those projects. He concluded by thanking Ms Lynn for her outstanding work, endless energy and commitment to improve the quality of lives of residents across the Cotswolds over many years. The Council joined the Chairman in wishing Ms Lynn well for the future and, as a small token of appreciation; the Chairman presented her with a bouquet of flowers.

(iii) Conduct of the Meeting - The Chairman explained that the Council had a very full agenda with some very important items. While he did not wish to stifle debate, he would ask Members to be disciplined in their comments, avoid repetition and be succinct and to the point. He would generally not allow Members to speak more than once on a particular item, unless it was considered beneficial to deal with an item in two distinct parts of questions and debate.

(iv) Budget and Council Tax items - The Chairman reminded the Council that all of the votes relating to the budget and Council Tax, including on any

amendments put forward, were now required by regulation to take the form of Recorded Votes.

(v) Motion on the Agenda - The Chairman stated that he intended to allow Motion 1/2014 to be debated at the Meeting.

(vi) Chairman's Charities - The Chairman explained that he had recently attended a social event with a group of young people; members of Gloucestershire Young Carers. Another event would be held on 26th March 2014 and the Chairman asked that Members support the event and consider donating raffle prizes.

(vii) Councillor Mrs. Sheila Jeffery - The Chairman expressed delight to see Councillor Mrs. Jeffery at a formal meeting once again, and hoped that her recovery would continue. These sentiments were expressed by other Members.

(viii) Mr. Dick Selby - With the Chairman's consent, Councillor JA Harris informed the Council of the recent passing of Mr. Dick Selby, former landlord of the Drillman's Arms in Cirencester. Mr. Selby had been well-known as a great character in the town.

CL.61 PUBLIC QUESTIONS

There were no public questions.

CL.62 MEMBER QUESTIONS

In accordance with Council Procedure Rule 11, questions had been submitted, and responses provided, as follows:-

1. From Councillor Lee Searles to Councillor Lynden Stowe, Leader of the Council

'You will no doubt recall that I proposed a motion last October calling for parishes in the Cotswolds villages that wanted some small scale developments to be able to take them as part of the evolving Local Plan. You and your Cabinet unanimously rejected this idea. Are you still of the same view?'

The following response had been provided by Councillor Stowe:

'I can do no better than refer you to the e-mail sent to all Members on behalf of Councillor Nick Parsons, Cabinet Member for Forward Planning, on 11th February 2014. However, as the e-mail is not available in the public domain, I have reproduced it below:-

Dear Members,

I hope that you will have seen the note sent out last week reporting on the conclusion of the consultation on the Preferred Development Strategy. I have been asked by a number of you to explain the position with the more rural settlements which are not included in the Strategy as being suitable locations for development.

Early on in the Core Strategy consultation process it was agreed that the Development Strategy should only identify settlements for development where a minimum of 40 new dwellings could be shown as achievable over the plan period. Settlements with the capacity for 39 or less will not be included in the Local Plan as being identified for planned development. This does not mean that they will be excluded from further development possibilities.

The NPPF allows for small-scale development in rural settlements to meet specific housing needs and within the new Local Plan the route for the smaller rural settlements will be through general, criteria based, policies designed to meet identified housing need where there is community support. This is the most appropriate route for delivering rural housing as it builds in the greatest level of flexibility and does not require the allocation of sites to achieve delivery. However, we must be careful as we cannot 'reserve' such policies to ourselves or the Parish Councils. Once adopted, a policy is available for all to exploit.

The Preferred Development Strategy has been based upon a substantial body of evidence, which has been made publicly available throughout the Core Strategy/ Local Plan process. We have looked at a number of distribution options, including one for dispersing development to rural settlements throughout the District. The evidence has led us to focus on those that we have assessed to be the most sustainable settlements and therefore in line with the presumption in favour of sustainable development set out in the NPPF. In December 2013, Cabinet endorsed the thrust of the Preferred Development Strategy in the light of representations received from the consultation, along with the latest SHLAA findings. Prior to that, Cabinet had considered, but not accepted, a Motion which had suggested that housing sites be allocated to all communities who desired them. There would be no sense in basing the Development Strategy on this less sustainable approach, particularly as mechanisms exist to deliver rural housing in any event.

The evidence compiled to date strongly indicates that a dispersal strategy is neither a sustainable nor a practical option. It is unlikely that we could convince the Inspector at examination that it would be deliverable and so it would be likely to fail the tests of soundness.

When the current community based site allocation work has been completed in April, it will be possible for smaller rural settlements to be provided with the site assessment tool-kits to evaluate potential sites which could be promoted to meet identified housing need.

Please let me know if you have any questions.

I will ask Councillor Parsons to respond to any supplementary question that you may have.'

Councillor Searles stated that he was pleased that the Council was now consulting on small sites that might come up to meet the need for a five-year housing land supply, although he believed that this had represented a missed opportunity in the past, especially as other Councils had done something

similar successfully. Councillor Searles asked the following Supplementary Question:

'Thinking about the way they are already being used as justification for refusal recommendations in planning committee reports, do you think that the criteria developed to identify sustainable settlements in the CDC housing distribution strategy are supportive of small village housing developments?'

In response, Councillor Parsons thanked Councillor Searles for his question, and reminded him that the Council set a ceiling or bottom floor. It was looking at 40 or more sites over 20 years, which was why smaller developments had not been used in the current Development Strategy. If that were to change, the Council would have to give due regard to the National Planning Policy Framework and to the Localism criteria. There was no way of formally adjusting that until the Council had got a Local Plan into place. Generally, Members would probably want to know that, as part of the Five Year Housing Land Supply process, the Council had received two applications from Parish Councils, although many parishes were not keen on rural development.

2. From Councillor DJ Nash to Councillor Lynden Stowe, Leader of the Council

'Some parishes around the Cotswolds are actively seeking small scale housing developments to encourage local people to stay near their friends and families. I see this as a positive way of helping the district's shortfall in housing. A number of Conservative Councillors have now expressed the same view and are asking why your Council is not being flexible over this. What is your view?'

The following response had been provided by Councillor Stowe:

'I would refer Councillor Nash to my previous response to Councillor Searles.'

Councillor Nash thanked the Leader for his response, albeit indirect, and asked the following Supplementary Question:

"Councillor Parsons, turning first to the second paragraph of your email I have no recollection of members actually being asked, never mind agreeing, that the Development Strategy should only identify settlements with a minimum of 40 dwellings. This, of course, is a matter of policy and should have been determined by full Council. Can you please refer to the exact minute where this is recorded? Furthermore will you tell me whether this figure is a floor or a ceiling?"

Secondly this restrictive policy is based on the Blair government definition of "sustainability" under which everyone will either work where they live or travel by public transport and not need to use a car. This is plainly a nonsense in the Cotswolds and takes no account of the "sustainability" of the many small parishes struggling against closures of the shops, schools and post offices. Will you now revisit this policy in the light of the need to keep our rural communities alive?"

In response, Councillor Parsons stated that, as would be realised, the initial Core Strategy work had been done some time ago and would need to be checked to see how the figure of 40 had been identified; it was not something that had come into question before now. The National Planning Policy Framework provided the opportunity for communities to come forward with proposals for development wanted locally. Councillor Parsons was confident that the matter could be dealt with a sensible and sustainable way and concluded by stating that many in Councillor Nash's Political Group had been campaigning to 'keep fields green' - something that Councillor Parsons stated he agreed with.

3. From Councillor PR Hodgkinson to Councillor Lynden Stowe, Leader of the Council

'Following the latest actuarial 3 year review of Gloucestershire's Local Government Pension Fund which took place on 31 March 2013, can you please confirm the deficit figure for the Cotswold District Council element (as £ and as a % of assets)?'

The following response had been provided by Councillor Stowe:

'The Cotswold District Council share of the Gloucestershire Local Government Pension Fund deficit amounts to £25.5m and comprises liabilities of £73.3m compared to assets of £47.8m. Overall, the actuary has stated that this Council's share of pension fund is funded to the level of 65%.

When comparing the results of the Gloucestershire Fund with the other LGPS funds supported by Hymans Robertson, the investment returns are above average at 27%. The fact that the overall funding level has remained constant compares well with the other Funds, where some have seen a reduction in funding of up to 5%. Also, the Gloucestershire Fund's common contribution rate increase is in line with the average for the other Funds. The actuary is content that there is a suitable plan in place to ensure the Council's pension obligations will be met now and in the longer term.'

Councillor Hodgkinson thanked the Leader and stated that he had been trying to ascertain the scale of the Council's Pension Fund deficit.

By way of a Supplementary Question, he asked if Councillor Stowe was saying the deficit was 35%. If so, the deficit would be an albatross around the Council's neck for several years. He asked if Councillor Stowe could confirm that the Conservative Government had produced a figure for the national average deficit and that this Council's deficit was significantly above that average.

In response, Councillor Stowe stated that the questions were nothing more than scare-mongering. The position was that it was the responsibility of independent Actuary to advise on the fitness of the Gloucestershire Pension Fund and the suitability of member Councils' contribution arrangements. Figures varied with every tri-ennial review. The current deficit was bigger than that after the last review, and that was because the cost of the Fund had increased and the liabilities had increased. Gloucestershire County Council had a Pension Fund Investment Committee, which oversaw investments

made into the Fund, but had no control over its liabilities. Investment returns appeared to be above average. It was necessary to respect the fact that it was not for Councillors to advise that Committee, as that was something for the Actuary, and the Actuary was satisfied that this Council had a plan in place to ensure that all pension holders would be paid and another plan to deal with the deficit over a twenty-year period. There was absolutely no need to flag up a risk of non-payment to Local Government pension holders. Councillor Stowe concluded his remarks by noting that the situation for members of the Local Government scheme was not the same as for those whose pensions were, or would be, met directly by Central Government, such as nurses and civil servants.

4. From Councillor GM Selwyn to Councillor Lynden Stowe, Leader of the Council

'I have asked on a number of previous occasions when the recording of all meetings of this Council will be open to recording by any member of the public. The Government published guidelines last summer requiring local councils to allow recordings of meetings in the interests of transparency. Gloucestershire County Council has changed its constitution to reflect what is required. Why is this Council not adhering to what is required and when will it change its constitution?'

The following response had been provided by Councillor Stowe:

'From memory, this is the fourth consecutive Council Meeting that a question has been posed on this subject and, largely speaking, I would draw your attention to the responses given at those previous Meetings.

The only significant development since the last Council Meeting saw the Local Audit and Accountability Act 2014 receiving Royal Assent on 30th January 2014. While this Act largely relates to the abolition of the Audit Commission and subsequent audit requirements, it does also make provision about access to meetings and documents of local government bodies. As part of this, the Secretary of State is to be given the power to make regulations allowing the audio/visual recording of local authority meetings and specifying any conditions and/or 'rules' in so doing. However, the relevant section does not come into force until 30th March 2014, following which the normal regulation-making process would need to be followed.

In short, we already have a process in place that is in line not only with the spirit of the Secretary of State's previous comments on this matter, but also the most recent legislation. We will await any Regulations and guidance, and then take any necessary action.

I would also suggest that you are trying the patience of our Officers, given that our Constitution provides that a question may be rejected if it is substantially the same as a question which has been put at a meeting of the Council, Cabinet or Committee in the previous six months.'

By way of a Supplementary Question, Councillor Selwyn asked the following:

"I hope to get an answer to this, as my supplementary question last month was ignored, and an answer to a question I hadn't posed was offered.

I'm pleased to learn that regulations allowing audio / visual recordings come into force on 31st March 2014; some Councils have been significantly more proactive than this one in recognising that the way people choose to inform themselves is not necessarily by attending meetings such as this. Especially as daytime meetings necessitate compromises that working people cannot afford.

"From memory" (to quote Cllr Stowe in his response to me) every time I've posed a supplementary question at this Council, I've had to email the wording back to Officers to ensure accuracy. Indeed we are specifically asked if we "could provide the text of any supplementary question that you ask, both for the permanent record and, also, in case a full response to such supplementary is not forthcoming at the meeting"

Since I don't always have a specific written record of my supplementary question, without audio / visual recording...

1) How can you be certain that the accuracy of any supplementary question is properly recorded, and

2) Can anyone, at any time, without advance notice, record this meeting as they are entitled to?"

In response, Councillor Stowe stated that he thought the question had been answered on two or three occasions. Also, he had not been approached by anybody else on this matter. It did not appear to be a priority for anyone other than members of the Opposition Group.

5. From Councillor Ms JM Layton to Councillor David Fowles, Cabinet Member for Environment

'Could Councillor Fowles elucidate on what short and long term actions CDC, GCC, the Environment Agency and Thames Water have agreed on in order to prevent further winters of fluvial and sewage flooding in the District? I also ask if there has been any consideration as to the value of working with other Councils and agencies to try and manage the movement of water through the Cotswolds?'

The following response had been provided by Councillor Fowles

'Residents in Cotswold District have been affected by flooding as a result of the significant adverse weather events that have been experienced during the winter 2013/14. The Council became aware of flooding affecting properties on 24 December 2013. The flooding situation became significantly worse on 4 January 2014, when water inundation of the sewers in Cirencester and South Cerney caused sewer surcharges and difficulties in residents being able to use bathroom facilities.

The situation appeared to improve towards the end of January but became worse again over the weekend of the 8 & 9 February 2014.

A significant amount of external flooding has occurred across the district as a result of:

- rising river levels;
- rising groundwater;
- infiltration of groundwater and surface water into the main sewer system.

There has been a multi-agency response to these incidents, CDC led, through the Gloucestershire Local Resilience Forum (LRF).

The recovery actions required from the relevant agencies need to be managed through the recovery process. At present, the detail around how this process will be managed across the county is being developed through the Gloucestershire LRF and a Strategic Flood Recovery Group will be established.

In addition, and following the recent Gloucestershire County Council Scrutiny meeting in response to the flooding episodes in 2012/2013, a Cotswold Flood Action Group is being set up - this is a multi-agency group with invited Councillor representation. The issues faced during January and February 2014 are very similar to those of 2012/13, and these will be discussed at the Cotswold Flood Action Group's first meeting in March.

The flooding and sewage problems are complex, and this multi-agency approach is essential to achieving solutions.'

By way of a Supplementary Question, Councillor Ms Layton asked the following:

"Thank you for your response to my question but I didn't feel it was an answer. The majority of what you said was actually being experienced by many people; that is flood water of various types.

My question was 'what short and long term actions have the multi agencies, such as CDC, GCC, EA and TW, agreed on?' Your actual answer to that was that GCC, as Lead Flood Authority, in response to 2012/13 floods held a Scrutiny Committee meeting on 15th Jan this year in which it was decided to discuss flooding episodes at the Cotswold Flood Action Group's first meeting in March.

Multi agency meetings have been held in flood zones around the Cotswolds since February 2013. These included representations from GCC, CDC, Parish Councils, Thames Water and the EA and as we have both attended these meetings we also know that the public meetings have been chaired by our local MP, by invitation; not by his own volition as suggested when he claimed ownership of the meetings in the Wilts and Glos Standard today. There has also been CDC, multi-agency and Member meetings held in this Chamber.

Are you not disappointed that the good work already done by this Council, not solely emergency and recovery procedures, has been replicated and not acted on by GCC? Are we to wait interminably for a course of action and future plans? Is the long term action only - Recommendation c) of the Outcome Report of the Scrutiny Committee which is to hold quarterly meetings?

The second part to my question was if there has been any consideration as to the value of working with other Councils and agencies to try and manage the movement of water through the Cotswolds?"

In response, Councillor Fowles informed Councillor Ms Layton that he understood that the Council's response had been exemplary, something which had been endorsed by thanks from several Parish Councils. Councillor Fowles thanked Mrs. Kate Bishop, the Council's Head of Public Protection, and Mr. Lawrence King, the Council's Principal Engineer, for their team's work. The question had been received only on 24th February, whereas there had been problems in the Cotswolds for generations and, more recently, since 2007. The County Council was not the only authority taking action - twenty-three parishes had put together a Flood Resilience Plan, and Councillor Fowles identified the Plan for Cirencester as a particularly good one. It was often the case that problems were not known of until they happened, after which time was needed to undertake exploratory work and the various agencies were widely spread. The County Council was attempting hold Thames Water plc and the Environment Agency to task and devise an action plan. There were additional problems in Cirencester and South Cerney and a briefing note had been sent to all Members the previous week. To clarify, if it was not clear from the briefing note, neither Cotswold District Council nor Gloucestershire County Council were agencies with flood responsibilities, they were Local Authorities. However, Councillor Fowles said that he and Officers were working hard with the County Council's Cabinet Member to co-ordinate a multi-partner response and the County Council had voted £500,000 for joint venture funding schemes across the County. This Council would work on a bid for some of those funds. However, the problem was not just money, but the complexity of flood-issues. Councillor Fowles concluded by explaining to Councillor Ms Layton that he could not give a full answer to her question, or provide a solution, at the present time, because that was not in his power, but he would continue to work with her on the matter and would keep her informed.

6. From Councillor JA Harris to Councillor BD Gibbs, Cabinet Member for Customer Services

'It's great to see work being undertaken on the Forum car park to try and improve the service for users. Disabled parking spaces are in short supply in Cirencester. How have CDC consulted with local disability groups to make sure disabled drivers aren't put at a disadvantage in Cotswold car parks?'

The following response had been provided by Councillor Gibbs:

'We have had a very useful and informative meeting with the Access Group in Cirencester and, consequently, a revision to the original proposed layout of the Forum Car Park will be pursued, which

includes increasing the number of DDA compliant bays and replacing the steps with a ramp. Our discussions also involved general parking in Cirencester for the disabled.'

Councillor Harris endorsed Councillor Fowles' thanks to the Officers who had assisted residents during the recent flooding problems. Councillor Harris (who also served as the Mayor of Cirencester Town Council) also said he had been delighted by Councillor Fowles' praise of the Cirencester Flood Resilience Plan. By way of a Supplementary Question, Councillor Harris asked the following:

"Councillor Gibbs will no doubt be aware that Cotswold District Council are failing to meet Disability Discrimination Act standards for the number of disabled parking spaces in all car parks in the Cotswolds.

In short this means there are not enough parking spaces for disabled motorists in our area. Under DDA guidelines 6% of the total car parking spaces in a car park should be allocated for disabled users.

Does Councillor Gibbs agree that this is very alarming and we should make sure every resident is catered for? Will Councillor Gibbs undertake an urgent review of disabled parking spaces in the Cotswolds to make sure disabled motorists aren't at a disadvantage?"

In response, Councillor Gibbs stated that the figure quoted from Disability Discrimination Act was a guideline and not a statutory requirement. However, he did recognise that things had moved on and, since the car park layouts had been designed, there had been an increase in the number of larger cars. Councillor Gibbs had been in conversation with representatives of the Disabled Access Group in Cirencester and had found those talks most informative and constructive. He would continue such dialogue with that group and with others.

7. From Councillor JA Harris to Councillor BD Gibbs, Cabinet Member for Customer Services

'My constituents in Park and Watermoor Wards have formed a group trying to improve on-street parking in their areas. How are CDC, through the Cirencester Parking Partnership, helping to resolve the problem of on-street parking in the town?'

The following response had been provided by Councillor Gibbs:

'As you are aware, Gloucestershire Highways hold the remit for on-street parking and are currently working on proposals as part of the Cirencester Parking Partnership, of which Cirencester Town Council are both members and consultees. When these proposals are complete and agreed, we will have a better idea of how the on-street parking problems can be solved.

For many years, we have offered an off-peak permit, costing just £36 p.a., which enables Park and Watermoor residents to use CDC car parks from 4.00 p.m. to 10.00 a.m. the following day, including overnight and Sunday at the Brewery Car Park. This was intended to help residents who found parking spaces in their streets taken up by

non-residents.'

By way of a Supplementary Question, Councillor Harris stated that the word 'Partnership' implied equal working between all parties involved in a project and asked:

"Apart from the welcome and successful introduction of Beeches Car park reforms, what have Cotswold District Council actually done to help alleviate the problem of on street parking in Cirencester within the Cirencester Parking Partnership?"

In response, Councillor Gibbs stated that in the Cirencester Wards generally, many people might not be aware of the overnight parking situation, where there was a way of securing cheap parking. Residents' parking permits were also available. Councillor Gibbs stated that he thought the questioner had been ignoring the main issues, which were (i) did Cirencester residents want parking, guaranteed to be within walking distance of their homes? If so, the 24/7 permits met that need; and (ii) did Cirencester residents want guaranteed parking outside their own homes? As the questioner would have been aware, the County Council had done considerable work on on-street parking permits and had presented two options to the Cirencester Parking Partnership, and the Partnership was waiting for Cirencester Town Council to agree the relevant Traffic Orders. The Town Council could not delay making a decision any longer, and a decision was needed as to which option it preferred. If not, the County Council would walk away, because it had spent several years working on the proposals and had still not been given a clear 'steer'.

8. From Councillor Mrs JL Hincks to Councillor BD Gibbs, Cabinet Member for Customer Services

'Why was a turnstile installed at the Leisure Centre in Cirencester and at no other venue after the transfer to SLM? Can Cllr. Gibbs state what impact there has been since SLM took over responsibility of the Leisure Centre on the businesses currently under lease to CDC at the venue?'

The following response had been provided by Councillor Gibbs

'Because the Bourton and Chipping Campden leisure centres are dual-use, on school sites, with school students using the gym and swimming pool, it was not practical to install turnstiles. They are, however, used at Stroud, which is the nearest SLM centre to Cirencester, and in many of the larger leisure centres.

As far as the businesses are concerned, we have no access to their accounts, so are not able to make any comment about whether their business has increased or declined. However, we do know that there has been an increased footfall through the leisure centre in Cirencester since SLM has operated the contract.'

By way of a Supplementary Question, Councillor Mrs. Hincks thanked Councillor Gibbs for his response and asked whether she could expect to see turnstiles installed in the other Leisure Centres, including those which had been transferred to the Schools. With regard to the claim that business had

not been affected in the Cotswold Leisure Centre, Councillor Mrs. Hincks had been told by staff that they had seen a reduction in footfall because the turnstiles provided a barrier, especially to wheelchair users. If the Council was still the landlord, what was it doing to ensure continued ease of access?

In response, Councillor Gibbs stated that the schools had not erected turnstiles, because it was not practical with entire classes needing to get in and out quickly. There was no evidence of a decline in use at the sites now operated by SLM, and SLM would be interested to hear the detail of any alternative figures known to Councillor Mrs. Hincks. Councillor Gibbs stated that he had been at the Cirencester site a week or so previously, when a lady in a wheelchair had arrived at the Reception desk. The turnstile had been opened immediately and Councillor Gibbs could not see that this would not happen elsewhere or at other times. He concluded his remarks by asking Councillor Mrs. Hincks to relay to the businesses that she had referred to, that if they were concerned, they should speak directly with him.

CL.63 PETITIONS

No petitions had been received.

CL.64 BUDGET 2014/15

The Leader of the Council presented this item.

The Leader requested that the Council consider recommendations from the Cabinet in respect of the Medium Term Financial Strategy for the period 2014/15 to 2017/18, the Capital Programme for 2014/15 to 2016/17, the Budget for 2014/15 and the Pay Policy Statement for 2014/15.

The Leader stated that the focus of local government had changed considerably over the previous three years. The Council had faced a plethora of funding reviews, new grants and new legislation. Officers had responded magnificently to those challenges and had played key roles in challenging some of the proposals, at consultation stage and at national level. On behalf of the Council, the Leader thanked those Officers and, in particular, acknowledged their work in: retaining the New Homes Bonus in its current form; in gaining almost £15,000 extra funding due to the rural sparsity of the District; and in working through huge volumes of data to bring some semblance to the Business Rates figures. The Leader wished to thank Mrs. Jenny Poole, the Chief Financer Officer, and Mr. Frank Wilson, Strategic Director, in particular for that work. He also asked that they relay the Council's thanks to all in their respective teams involved in the Budget process, and asked the Chief Executive to pass on the Council's thanks to the entire staff, which had consistently delivered against the priorities of the administration.

The Leader explained that the circulated figures provided for a balanced Budget, despite an increase in costs of £600,000 in respect of increased contributions to the Pensions Fund, albeit that they were to be phased in over three years. The Leader stated that he was pleased to say once again that there would be no increase in Council Tax, nor in car parking charges, garden waste charges or in most of the leisure charges, until at least 2016. He set that in the context of protecting all of the Council's valuable frontline services. At this point, the Leader drew the Council's attention to the public support for

the Council's policies, within the consultation responses in the circulated report. However, the Leader stated that he wished to propose four minor changes to the Budget outlined in the circulated report.

First, the Council recognised its key role in protecting the District's communities; the horrendous floods, this time seen elsewhere in the country, amplified the need to build up flood defences for the communities which had been shown to be vulnerable to flooding. The Leader therefore proposed putting aside £200,000 to provide joint funding to enable the Council to work with the County Council, Town and Parish Councils and partner agencies in providing flood defences. This would be funded by £100,000 out of Capital Reserves and £100,000 out of the Council's Priorities Revenue Reserve. He did not rule out further funding for appropriate schemes.

Secondly, like in virtually every other rural district, Cotswold communities were facing an onslaught from the Planning Inspectorate. Often, communities were not sufficiently well-equipped to deal with developers, and to try to gain the most benefit from planning permissions. The Leader therefore proposed to fund a new Officer, to work solely with communities, and Town and Parish Councils, to maximise those potential benefits. Parishes should, if they wished, continue to challenge and object as robustly as they wished but, at the same time, there needed to be a parallel track to work with developers in the event of permission being given. This would be an 18-month appointment and the person selected would be based within the Communities Team, rather than within Planning. The proposal was to allocate £70,000 from the Council's Priorities Fund to finance the post.

Thirdly, turning to car parks, the Leader was conscious that on certain times of the week, and for certain weeks in the year, some of the Council's car parks had some spare capacity. He wanted the Council to work with local traders and with the local media, to utilise some of this capacity, possibly through discount offers or free parking in known quiet periods, to encourage more trade when otherwise business might be rather flat. The Leader therefore proposed a Car Park Promotion Budget of £25,000 per year and he looked forward to engaging with the local Ward Members. The Leader also stated that he wanted to put right an anomaly, and referred to a letter in the local press from a local resident, who had drawn attention to the fact that he could not park in the Brewery Car Park for 50p for half an hour on Sunday whereas, on any other day of the week, he could. The Leader stated that that would be put right as soon as the Council could attend to the necessary paperwork and change the meters. The Council would introduce both a charge of 50p per half hour and £1.30 for a full hour, in addition to the all-day Sunday charge of £1.50.

Finally, the Leader wanted to return to Council Tax. In doing so, he stated, he would make no apology for reminding the Council of the appallingly high year-on-year increases which the Council had seen during its 'rudderless years' between 1997 and 2003 when there had been no administration. Council Tax rises during that time had been as high as 10% a year while, at the County Council under a Liberal-Labour coalition, increases had been as high as 13% in a single year - this had been totally unacceptable. Last year, the Leader had been pleased, for the first time, to reverse some of those rises by cutting the Council's share of Council Tax by 5% - the biggest cut in Council Tax of any Local Authority in the country. This year, the Leader proposed a further cut of 3%. The Leader stated that, as far as he was aware, this would again

be the largest cut in Council Tax in the whole country, but, even after allowing for the four revisions, the Budget would still deliver a surplus of £1,500. Over the two-year period, the 8% cut would definitely be the largest in the country. The Leader stated that his Group's proposals delivered on promises made, and concluded by Proposing the Budget as outlined and asked the Council to note the Chief Finance Officer's comment that she was satisfied with the approach.

The Proposed Budget was Seconded by Councillor RW Dutton, who did not otherwise speak on the Proposal.

Councillor PR Hodgkinson, the Leader of the Opposition Group, was invited to respond to the Proposed Budget. He requested that the Council adjourn for 15 minutes to allow Members time to read the newly-circulated papers.

The Chairman agreed to the request and adjourned the Meeting.

When the Meeting reconvened, Councillor Hodgkinson thanked the Chairman for allowing the adjournment and stated that his Group welcomed certain parts of the administration's Proposals. His Group definitely supported any move by the Council to comply with the Government's policy of freezing Council Tax. He particularly welcomed the initiative to provide a further £200,000 for joint flood defence projects. This followed a commitment by the Government and it was to be hoped that communities in the Cotswolds would take advantage of those extra funds. However, Councillor Hodgkinson stated that he felt that residents were not being listened to on other key issues. The proposals regarding the Council's car parks were an improvement, but they did not go far enough. As a result, the Liberal Democrat Group would Propose two Amendments - the first would address the planning 'crisis' brought about by the Council's failure to produce a Local Plan; and the second would significantly reduce car parking charges. Together, they were forward-looking Amendments, inspired by the people of the Cotswolds. The Council had been given the opportunity to make use of a £175,000 underspend by the end of Quarter 3, and a further £120,000 by the year end. As a result, the Chief Finance Officer had advised the Liberal Democrat Group that she could see no problem with the Amendments to be Proposed. Councillor Hodgkinson thanked the Chief Finance Officer for coping with the juggling act imposed on her. The Council should seize the moment and ditch the loathed 24/7 car parking charges in the Brewery Car park, and the other changes to the Council's car parks did not go far enough.

Councillor Hodgkinson Proposed the following Amendment:

"To provide grants to Cotswolds parish and town councils to help them prepare Neighbourhood Plans:-

- by providing a pot of £100,000 over the next 12 months;*
- to be available to any parish or town in the Cotswolds to bid for subject to a maximum of £5,000 per community."*

Councillor Hodgkinson explained that, for many Town and Parish Councils, having to pay for such Plans would lead to a significant increase in their Precept (thereby risking having to call a Referendum). This Council risked being put into 'Special Measures' for Planning; and the total cost of losing a few recent Appeals was the equivalent of a 6% rise in Council Tax.

Councillor Hodgkinson stated that he had heard on the radio that morning that the Government had stated that 52% of Councils had an up-to-date Local Plan. While this Council faced an unmitigated disaster, its provision of the proposed fund would help a number of Cotswold communities to fend off development. Any community with a robust and well thought-out Neighbourhood Plan would have a head start at a Local Inquiry.

Councillor Lee Searles Seconded the Amendment, and stated that it was a further example of helping communities to meet their housing needs. A significant part of this Council's Budget was the New Homes Bonus and a lot more was in the pipeline. The proposal would show that the Council was supporting the District's communities and was a logical use of funds. However, Councillor Searles was worried that the new Local Plan would be 'more of the same', and he was concerned that the result would be a slow decline. The solution was for communities to bring forward schemes of their own, and the best way to do that would be through Neighbourhood Plans.

Councillor NJW Parsons, the Cabinet Member for Planning, stated that the proposal was an interesting one, but he would not be able to support it. There had been some confusion between the two speakers. The first had stated that having a Neighbourhood Plan would help communities "fend off development," although it was not clear how, whereas the second speaker had said that rural communities needed more housing, so Councillor Parsons could not see that the proposal would help anybody. The National Planning Policy Framework said that Neighbourhood Plans could allow for an increase in development over and above the levels in the Local Plan, and it had to be remembered that Neighbourhood Plans could not be used to prevent development, so they could not be said to "fend it off." Some development would take place over a two year period, resulting from rushed changes by Central Government. Councillor Parsons reminded the Council that it might not be a good thing to continually take on Central Government and drew attention to a Government decision to allow landowners in National Parks and Areas of Outstanding Natural Beauty almost unfettered permitted development rights. With that in mind, he could not see how Neighbourhood Plans could help.

A Member stated that he was rather disappointed in the Cabinet Member's response, and the Administration Group's idea of employing a Planning professional had logic, but was flawed, because it was a matter of dealing with the effects of planning applications after they had been approved and development inevitable. The Member also stated that his Group understood that Neighbourhood Plans could not "fend off development," but they could say where development should go. If a community had a Neighbourhood Plan it could give that direction to planners; it could also direct the design and style of properties. By way of example, the Member referred to a Neighbourhood Plan which stated that no development should be allowed to impeded views of the Parish Church. The Member therefore believed that the Administration's proposal was a matter of 'shutting the stable door after the horse had bolted'.

The Cabinet Member for Communities and Health informed the Council that she had already approved seven Neighbourhood Areas (the essential precursor to a Neighbourhood Plan) and she expected more. The Cabinet Member and others had already been discussing how to get the best value out of that money, and a proposal would be presented to the Cabinet in April.

The Leader of the Council referred to the Leader of the Opposition Group's statement that the Government had said that over 52% of Local Authorities had a Local Plan in place and said that this was untrue, as not all of those 52% were compliant with the National Planning Policy Framework (NPPF). Councillor Stowe stated that he was aware of only one in England, in West Lancashire; none of the Local Planning Authorities adjoining the Cotswold District had a Local Plan in place which was NPPF-compliant, and it was wrong of the Leader of the Liberal Democrat Group to repeating gross inaccuracies.

A Member stated that every Town and Parish Council wishing to produce a Neighbourhood Plan could call on Government funding of £7,000, but this went to the Local Planning Authority concerned, to pay for professional guidance. Only seven Neighbourhood Areas had been approved in the District, a low number, and this Council should encourage the preparation of more Neighbourhood Plans. The number might increase if the Council were to approve the Amendment to provide the additional funds, together with the Government funding on top of anything supplied by the Town or Parish Councils concerned.

Another Member stated that the Audit and Scrutiny Committee had held a Special Meeting on 13th February 2014, which the Cabinet Member for Planning had attended in order to speak on the preparation of the Local Plan. At the Special Meeting, the Cabinet Member had stated that if the Council had a Five Year Housing Land Supply, the absence of a Local Plan would be less significant, and the Member felt this was an important point to note.

The Leader of the Liberal Democrat Group summed up, stating that he had been a Member of the Council for seven years, throughout which time every idea proposed by the Liberal Democrat Group had been dismissed out of hand, but sometimes taken up later. The Amendment now proposed would allow Towns and Parishes to produce robust evidence, so it was a prudent one. Regarding the point made about the provision of a Five Year Housing Land Supply, this needed to be continuous and, at present, the Council had neither the Housing Land Supply nor a Local Plan. He also reiterated that he had heard the figure of 52% quoted that morning during radio coverage of debate in the House of Lords, where a Government spokesman had confirmed that 75 Local Authorities had published a Local Plan and 52% had been adopted.

In response, the Cabinet Member for Planning stated that when he had said the Council needed to be cautious, it was in respect of taking on the Government directly. The Council could not actually do anything to change the rules set by the Government. There appeared to have been some confusion over the matter of the Local Plan and the Five Year Housing Land Supply. The Housing Land Supply was something that came out of Development Control, regardless of the state of production of the Local Plan. The Council could not force developers to come forward with land, and the shortage of Housing Land was not the fault of any Member or Officer, but a consequence of the economy.

On being put to the vote, the Amendment was LOST.

Note:

In accordance with the Council's revised Procedure Rules (amended to reflect recent Government regulations), a Recorded Vote was taken in respect of the Proposition. The Record of Voting was as follows:-

For: - Councillors PCB Coleman, JA Harris, Mrs. JL Hincks, SG Hirst, PR Hodgkinson, JP Hughes, Ms JM Layton, AJ Lichnowski, DJ Nash, Lee Searles, GM Selwyn and M Wardle - Total: 12;

Against: - Councillors Mark F Annett, Julian Beale, Clive Bennett, JGK Birch, DC Broad, John Burgess, DE Collier, Mrs. VB Crosbie Dawson, BS Dare, RW Dutton, David Fowles, BD Gibbs, Mrs. DE Hicks, Sir Edward Horsfall, Mrs. Sheila Jeffery, Mrs. SL Jepson, Jim Parsons, NJW Parsons, David Penman, Mrs. M Phillips, Lynden Stowe, R Theodoulou, Mrs. CH Topple and LR Wilkins - Total: 24;

Abstentions: - Mrs. MS Rickman - Total: 1

Absent: - Councillors Sandra Carter, Sue Coakley, C Hancock, RP Hooper, RL Hughes, EGJ Jenkins and Mrs. Carolyn Nicolle - Total: 7.

Councillor JA Harris then Proposed the following Amendment,

"That the Council cancel the Brewery Car Park pilot in which new 24/7 charges have been levied since the beginning of 2012 (Cost £23,000)."

Councillor Harris stated that, in 2011, the Council had piloted 24/7 parking charges in all car parks in Cirencester. Thanks to a campaign by the Liberal Democrat Group, residents and the Wilts and Glos Standard, the pilot scheme had been amended to remove 24/7 charging from most of the Cirencester car parks, with the exception of the Brewery Car Park, and leaving that anomaly did not make sense. Councillor Harris asked the Council to look at how the charges affected residents and, specifically church-goers wanting to attend services in Ashcroft Road, they either had to get dropped off or pay the £1.50 parking charge. Sometimes they parked elsewhere on Ashcroft Road, taking up residents' parking spaces, who then they could not park outside their own homes. The charge also affected the town's businesses, because it put people off visiting Cirencester, especially the restaurants in Castle Street, to which the Brewery Car Park was the nearest. Councillor Harris stated that, according to the Wilts and Glos Standard, over 1500 people had signed a petition against the parking charges. Against that, the Council had received only 32 comments from the public in response to its consultation on the Draft Budget, a woeful figure. Councillor Harris stated that Councillor Stowe had often said that people did not come forward with complaints about the charges, but he should remember that the majority of interested residents lived in Cirencester and spoke to their Ward Members, but few were Conservative Members.

Councillor Mrs. MS Rickman Seconded the Amendment. She stated that the Amendment would result in a drop in income of only £23,000, and felt that this represented an acceptable compromise between budget and local concern.

In response, the Leader stated that he did not find the argument convincing. The Council did levy charges in other car parks on Sundays, sometimes by

the hour. Councillor Stowe felt that the Council needed to promote its offer on car parking. He explained that residents in Cirencester without on-street parking could park overnight until 10.00 a.m. every day of the week for £36 per annum, which he felt represented good value. Councillor Stowe stated that, over the previous ten years, the matter of car parking charges had continually been debated and challenged which, he believed, only served to undermine Cirencester as a place to visit. The town had huge latent potential and, he had no doubt, the proposed development of the northern part of the Brewery Car Park would be at the heart of a great resurgence of the town centre. The Planning Committee had approved a scheme to build a new cinema and expected a proposal for a Youth Arts Hostel. Councillor Stowe stated his belief that the pilot charging scheme had worked, and found it curious that some Members appeared willing for the Council to take money for Sunday parking in Stow-on-the-Wold and in Bourton-on-the-Water while objecting to such charges in Cirencester.

A Member reminded the Council of Councillor Harris' reference to churchgoers attending services in Ashcroft Road. The Member was one such churchgoer and endorsed the previous remarks. Also, he had had occasion to use the Memorial Hospital Car Park where, he had learned, one could park for free on Sundays. This seemed a ridiculous situation, especially to visitors.

Councillor BD Gibbs, the Cabinet Member responsible for Car Parks, responded to the comments, and referred to parking in Cheltenham and Stroud, where there was no choice as every car park was charged for, whereas Cirencester had at least five car parks which were totally free on Sunday.

A Member endorsed the comments of the Leader of the Council and the Cabinet Member. The Brewery Car Park was the only one in Cirencester that charged for parking on Sundays. There seemed to be a confusion in that the petition with 1500 signatures previously referred to had been started in response to parking proposals across the entire District, but now appeared to be focussed just on a single car park in Cirencester. If people did not want to use that car park on Sundays, alternatives were available.

A Member stated that there was some logic in charging for Sunday parking in Bourton-on-the-Water on Sundays, and that same logic argued for treating that town differently to Cirencester. With regard to the reference to Sunday charges applying throughout all car parks in Cheltenham and Stroud, the Member felt that the Council should also be aware that in Witney, all of the Council car parks were free every day.

Councillor Harris summed up, he referred to the Leader's comments on Cirencester getting its confidence back and asked how the Leader dared to make such comments; since Councillor Stowe had first become a Cabinet Member, the town had suffered from inappropriate developments and failed schemes. Councillor Harris stated that he had received hundreds of responses from residents objecting to paying for car parking on Sundays. With regard to the suggestions that drivers park elsewhere, there should be signs in the Brewery Car Park stating where to find alternative, free, car parks.

On being put to the vote, the Amendment was LOST.

Note:

In accordance with the Council's revised Procedure Rules (amended to reflect recent Government regulations), a Recorded Vote was taken in respect of the Proposition. The Record of Voting was as follows:-

For: - Councillors PCB Coleman, JA Harris, Mrs. JL Hincks, PR Hodgkinson, JP Hughes, Ms JM Layton, AJ Lichnowski, DJ Nash, Mrs. MS Rickman, Lee Searles, GM Selwyn and M Wardle - Total: 12;

Against: - Councillors Mark F Annett, Julian Beale, Clive Bennett, JGK Birch, DC Broad, John Burgess, DE Collier, Mrs. VB Crosbie Dawson, BS Dare, RW Dutton, David Fowles, BD Gibbs, Mrs. DE Hicks, Mrs. Sheila Jeffery, Mrs. SL Jepson, Jim Parsons, NJW Parsons, David Penman, Mrs. M Phillips, Lynden Stowe, R Theodoulou, Mrs. CH Topple and LR Wilkins - Total: 23;

Abstentions: - Councillors SG Hirst and Sir Edward Horsfall - Total: 2

Absent: - Councillors Sandra Carter, Sue Coakley, C Hancock, RP Hooper, RL Hughes, EGJ Jenkins and Mrs. Carolyn Nicolle - Total: 7.

Councillor Mark Wardle Proposed a Further Amendment. He stated that whilst he welcomed many things in the Conservative Group proposals, he was concerned as to the extent that the Budget was reliant on the New Homes Bonus, and the fact that money was not achieving everything the Government had thought. Developers were not supplying the infrastructure which should accompany new housing schemes and the Council was stuck with the problem of its Five Year Housing Land Supply. Consequently, Councillor Wardle proposed an Amendment for a new Recommendation (I) as follows:-

"...that the Cabinet review the income from the New Homes Bonus so as to explore the proportion to be allocated to supplying infrastructure in those communities where development is approved, with such findings and any proposals to be referred back to the Council."

The Amendment was Seconded by Councillor SG Hirst, who stated that the principle behind the New Homes Bonus was to support those communities affected by new developments. Often, they were small rural towns or villages, which needed support to obtain new infrastructure to meet the challenges of new developments. Councillor Hirst explained that he and Councillor Wardle were only asking that the Cabinet undertake a study of whether New Homes Bonus monies could be allocated to those communities most in need.

A Member asked whether these New Homes Bonus monies would be in addition to funds resulting from Section 106 Planning Agreements or the Community Infrastructure Levy; and whether the Proposer had given any thought to timing, for example, seeking the funds at the start of development, rather than at its conclusion.

In response, Councillor Wardle explained that he had couched the wording of the Amendment as generally as possible, in order to allow the Cabinet the flexibility to explore the matter and come up with proposals. He had deliberately avoided figures, because he wanted the Cabinet to do the work.

Another Member stated that he appreciated the proposed Amendment. His Ward had suffered from a great deal of development, which had been concentrated in particular areas and put strain on the existing infrastructure, so he could see considerable merit in trying to help communities. He hoped the proposal would enable the Council to work with the County Council, the Environment Agency and Thames Water plc to alleviate the present distress, so he would support the Amendment.

The Leader of the Council stated that his difficulty was that the proposed Amendment was not actually for amendment to the draft Budget, as there were no finances involved. The Council was acutely aware of the issues, so the Leader hoped that the work referred to was already in progress. Also, he was reluctant to allocate the New Homes Bonus down to specific communities. It was already a key part of the overall funding of every Council that benefitted from it. Rather than support the Amendment, the Leader stated that he would be happy to take on its spirit, by asking the Audit and Scrutiny Committee to undertake the piece of work sought, with the help of the proposed new professional officer. The Leader concluded by stating that he was very happy to take the proposal away on an informal basis.

Councillor Wardle stated that Independent Members often found themselves somewhat 'out of the loop' as regards the draft Budget. He explained that he had proposed the Amendment because he thought the Council had a particular need for infrastructure funding in the forthcoming year, so he felt the proposed Amendment should be voted on.

On being put to the vote, the Amendment was CARRIED.

Note:

In accordance with the Council's revised Procedure Rules, a Recorded Vote was taken in respect of the Proposition. The Record of Voting was as follows:-

For: - Councillors JA Harris, Mrs. JL Hincks, SG Hirst, PR Hodgkinson, Sir Edward Horsfall, JP Hughes, Ms JM Layton, AJ Lichnowski, DJ Nash, Mrs. MS Rickman, Lee Searles, GM Selwyn, R Theodoulou and M Wardle - Total: 14;

Against: - Councillors Julian Beale, DC Broad, John Burgess, PCB Coleman, BS Dare, David Fowles, Mrs. Sheila Jeffery, Mrs. SL Jepson, Jim Parsons, NJW Parsons, Lynden Stowe and Mrs. CH Topple, - Total:11;

Abstentions: - Councillors Mark F Annett, Clive Bennett, JGK Birch, DE Collier, Mrs. VB Crosbie Dawson, RW Dutton, BD Gibbs, Mrs. DE Hicks, David Penman, Mrs. M Phillips and LR Wilkins - Total: 11;

Absent: - Councillors Sandra Carter, Sue Coakley, PCB Coleman, C Hancock, RP Hooper, RL Hughes, EGJ Jenkins and Mrs. Carolyn Nicolle - Total: 8.

RESOLVED that:

(a) the Medium Term Financial Strategy for 2014/15 to 2017/18, detailed in Appendix 'A' to the circulated report be approved;

- (b) the Capital Programme for 2014/15 to 2016/17, as detailed in paragraph 11 of this report, and in Appendix 'B' to the circulated report be approved;**
- (c) the Net Budget Requirement for 2014/15, detailed at paragraph 9.1 of this report, and the Detailed Budget attached at Appendix 'B' to the circulated report be approved;**
- (d) the Pay Policy Statement for 2014/15, attached at Appendix 'D' to the circulated report be approved;**
- (e) a budget of £25,000 be provided for promotional activity to encourage use of the Council's car parks outside of peak times:**
- (f) a change to car parking tariffs be implemented, to introduce a 50p half hour and a £1.30 hourly parking charge at Cirencester's Brewery Car Park on Sundays and, thereby, reduce the car parking income budget by £2,000;**
- (g) the Council Tax be cut by 3%, so that the District Council's proportion of the Band 'D' equivalent Council Tax becomes £133.05;**
- (h) the above changes to the Budget to be funded by increasing the use of Revenue Reserves (created from 2013/14 business rates accounting surplus) by £85,699 to £565,416;**
- (i) £200,000 be invested in further flood alleviation in the District, to be funded by £100,000 from the Council Priorities Fund and £100,000 from Capital Reserves;**
- (j) £70,000 be allocated from the Council Priorities Fund to provide additional resources to support Town and Parish Councils with negotiations with developers in their communities;**
- (k) the Chief Finance Officer be given delegated authority to update the Medium Term Financial Strategy, Capital Programme, Detailed Budget and Prudential Indicators in accordance with the above;**
- (l) the Cabinet be requested to review the income from the New Homes Bonus, so as to explore the proportion to be allocated to supplying infrastructure in those communities where development is approved, with such findings and any proposals to be referred back to the Council.**

Note:

A Recorded Vote was also taken in respect of the Substantive Motion. The Record of Voting was as follows:-

For: - Councillors Mark F Annett, Julian Beale, Clive Bennett, JGK Birch, DC Broad, John Burgess, PCB Coleman, DE Collier, Mrs. VB Crosbie Dawson, BS Dare, RW Dutton, David Fowles, BD Gibbs, JA Harris, Mrs. DE Hicks, SG Hirst, PR Hodgkinson, Mrs. Sheila Jeffery, Mrs. SL Jepson, Ms JM Layton, AJ Lichnowski, DJ Nash, Jim Parsons, NJW Parsons, David Penman, Mrs. M

Phillips, Mrs. MS Rickman, Lee Searles, Lynden Stowe, R Theodoulou, Mrs. CH Topple, M Wardle and LR Wilkins - Total: 33;

Against: - Total: 0;

Abstentions: - Councillors Mrs. JL Hincks, JP Hughes and GM Selwyn - Total: 3;

Absent: - Councillors Sandra Carter, Sue Coakley, PCB Coleman, C Hancock, RP Hooper, RL Hughes, EGJ Jenkins and Mrs. Carolyn Nicolle - Total: 8.

CL.65 COUNCIL TAX 2014/15

The Chief Finance Officer presented a report with the purpose of enabling the Council to calculate and set the Council Tax for 2014/15.

The Council was informed of an error in the Annex to the circulated report, in that the figure for the Council's element of Band 'D' should have appeared as £133.05.

The Leader stated that the item was a formal process, following on from the setting of the Budget. He reminded the Council that it had just approved a Budget which would allow for a 3% cut in its element of the Council Tax and, for comparison, he explained that the County Council had frozen its element for the fourth year in succession; the Police had increased their element by 1.99%, just below the 2% cap; and, collectively, the Town and Parish Councils in the District had set Precepts averaging 1.5%.

RESOLVED that:

- (a) for the purposes of the Local Government Finance Act 1992 Section 35(2), there are no special expenses for the District Council in 2014/15;**
- (b) it be noted that It be noted that, using her delegated authority, the Chief Finance Officer calculated the Council Tax Base for 2014/15:**
- (i) for the whole Council area as 36,906.55 [item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and**
 - (ii) for dwellings in those parts of its area to which a Parish Precept relates as in the attached Schedule 1;**
- (c) the Council Tax requirement for the Council's own purposes for 2014/15 (excluding Parish Precepts) is £ 133.05;**
- (d) the following amounts be calculated for the year 2014/15 in accordance with Sections 31 to 36 of the Act:-**
- (i) £52,470,076 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2)**

of the Act, taking into account all precepts issued to it by Parish Councils and any additional special expenses;

- (ii) £45,369,330 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act;
 - (iii) £7,100,746 being the amount by which the aggregate at 4(a) above exceeds the aggregate at (d)(ii) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year (Item R in the formula in Section 31B of the Act);
 - (iv) £192.40 being the amount at (d)(iii) above (Item R), all divided by Item T (b)(i) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish Precepts and Special Expenses);
 - (v) £2,190,329 being the aggregate amount of all special items (Parish Precepts and Special Expenses) referred to in Section 34(1) of the Act as per the attached Schedule 2;
 - (vi) £133.05 being the amount at (d)(iv) above less the result given by dividing the amount at (d)(v) above by Item T(b)(i) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish Precept or special item relates;
 - (vii) the amounts shown in Schedule 2 being the amounts given by adding to the amount at (d)(vi) above, the amounts of the special item or items relating to dwellings in those parts of the Council's area shown in Schedule 2 divided in each case by the amount at (b)(ii) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate;
 - (viii) the amounts shown in Schedule 3 being the amounts given by multiplying the amounts at (d)(vi) and (d)(vii) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;
- (e) it be noted that for the year 2014/15 the Gloucestershire County Council and the Gloucestershire Police and Crime Commissioner have issued precepts to the Council, in accordance with Section 40 of the

Local Government Finance Act 1992, for each category of dwellings in the Council's area as indicated below:-

Valuation Band	Gloucestershire County Council	Police and Crime Commissioner
	£	£
A	727.00	138.49
B	848.17	161.57
C	969.33	184.65
D	1,090.50	207.73
E	1,332.83	253.89
F	1,575.17	300.05
G	1,817.50	346.22
H	2,181.00	415.46

(f) the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in Schedule 4 as the amounts of Council Tax for the year 2014/15 for each part of its area and for each of the categories of dwellings;

(g) the Council's basic amount of Council Tax for 2014/15 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992;

(h) the Chief Finance Officer, Legal Officer/Trainee Legal Executive, Joint Head of Revenues and Benefits, Joint Operations Lead Officer, Joint Operations Manager, Joint Support Lead Officer, Overpayments Officer, Senior Recovery Revenues Officer, and Recovery Officer be authorised to:-

(i) collect and recover any National Non-Domestic Rates and Council Tax, and;

(ii) prosecute or defend on the Council's behalf or to appear on its behalf in proceedings before a magistrate's court in respect of unpaid National Non-Domestic Rates and Council Tax.

Note:

In accordance with the Council's revised Procedure Rules, a Recorded Vote was taken in respect of the Proposition. The Record of Voting was as follows:-

For: - Councillors Mark F Annett, Julian Beale, Clive Bennett, JGK Birch, DC Broad, John Burgess, PCB Coleman, DE Collier, Mrs. VB Crosbie Dawson, BS Dare, RW Dutton, David Fowles, BD Gibbs, JA Harris, Mrs. DE Hicks, Mrs. JL Hincks, SG Hirst, PR Hodgkinson, JP Hughes, Mrs. Sheila Jeffery, Mrs. SL Jepson, Ms JM Layton, AJ Lichnowski, DJ Nash, Jim Parsons, NJW Parsons, David Penman, Mrs. M Phillips, Mrs. MS Rickman, Lee Searles, GM Selwyn, Lynden Stowe, R Theodoulou, Mrs. CH Topple, M Wardle and LR Wilkins - Total: 33;

Against: - Total: 0;

Abstentions: - Jim Parsons - Total: 3;

Absent: - Councillors Sandra Carter, Sue Coakley, PCB Coleman, C Hancock, RP Hooper, RL Hughes, EGJ Jenkins and Mrs. Carolyn Nicolle - Total: 8.

CL.66 TREASURY MANAGEMENT - HALF-YEAR REPORT 2013/14 INCLUDING PRUDENTIAL INDICATORS 2013/14

The Chairman of the Audit and Scrutiny Committee introduced this item, and requested that the Council consider a report on Treasury Management activity for the first half of 2013/14 and Prudential Indicator performance.

The Chief Finance Officer stated that the report ensured that the Council complied with the CIPFA Code of Practice. She drew the Council's attention to the fact that investment income for the period was in line with the profiled budget, and that it was anticipated that the investment income at the end of the financial year would be slightly in excess of the full-year budget (£183,400 compared to the £170,750). The Chief Finance Officer concluded her remarks by assuring the Council that it had not breached any Prudential Indicators.

RESOLVED that the report on Treasury Management activity and Prudential Indicator performance be noted.

Record of Voting - for 35, against 0, abstentions/did not vote 0, absent 9.

CL.67 TREASURY MANAGEMENT STRATEGY 2014/15

The Chairman of the Audit and Scrutiny Committee introduced this item, and requested that the Council consider the draft Treasury Management Strategy and Investment Strategy 2014/15 to 2015/16.

The Chief Finance Officer explained that the Strategies were based on drafts provided by the Council's investment advisers (Capita Asset Services), who considered a variety of information to keep the list of investment counterparties constantly updated.

RESOLVED that the Treasury Management Strategy and Investment Strategy 2014/15 to 2015/16 be approved.

Record of Voting - for 36, against 0, abstentions/did not vote 0, absent 8.

CL.68 CORPORATE PLAN/STRATEGY

The Leader of the Council requested that the Council consider an update of the Corporate Strategy and Corporate Plan for 2014/15.

The Leader explained that the report had previously been considered by the Cabinet and by the Audit and Scrutiny Committee. The Council's Top Ten Tasks were identified, and the three top priorities, with the over-arching aim to be recognised as the most efficient Council in the country.

In response to various questions from Members, the Leader explained that no weighting had been given to the key indicators; the Council was comparing its position with that of other Councils in the country and the Leader would be more than happy to request the relevant Officers to provide more detailed information; the indicators were unique to the Council, as there was not a standard, prescribed system applicable across the country, but the Leader was confident that they were a suitable reflection of the Council's own targets and priorities; while the Council came seventy-third in the list showing cost per head of population, this was inevitable in a sparsely-populated District, especially when compared against Councils covering a more compact area and, in that light, the Leader thought that such position was positive; the Cabinet would consider revising the first Priority (currently beginning with the words "Freeze Council Tax...") to begin "Freeze or reduce Council Tax..." in twelve months' time; the fact that the average age of the District's population was increasing, with a consequent increase in demand for related services, was acknowledged; as much as the Council might want to work with communities to increase the provision of Affordable Housing, it was often the case that opposition to such provision came from the communities; the planning requirement for 50% Affordable Housing was 'sticking' in most instances and the Cabinet was now concerned that the Council might actually be building more Affordable Housing than was required for local need and might need to turn its attention to increasing Employment opportunities; and the Council was likely to greatly exceed the target of 400 new Affordable Homes over the four-year period concerned.

In response to a Member's question on why the performance indicators included unemployment claimant rates, something over which the Council had almost no control, the Chief Executive explained that, when the Cabinet had put the table of indicators together, it had wanted a balance of cost, service and outcome. There would have been little point in putting efficient systems together if the outcomes were not good. The Local Enterprise Partnership (of which the Council was a member), was concerned with jobs and economic sustainability. Work around that and planning policy similarly, but not directly, involved the Council in schemes to get people back into work.

RESOLVED that the updated Corporate Strategy and Corporate Plan 2012-15 be approved.

Record of Voting - for 32, against 0, abstentions/did not vote 3, absent 9.

CL.69 REVIEW OF LICENSING PROBITY GUIDE

The Chairman of the Licensing Committee introduced this item, and requested that the Council review the suggested Licensing Probity Guide, which formed part of the Council's Constitution, and make any changes which it considered necessary.

RESOLVED that the revised Licensing Probity Guide be adopted and included in the Council's Constitution.

Record of Voting - for 35, against 0, abstentions/did not vote 0, absent 9.

CL.70 ADOPTION OF LATE NIGHT LEVY AND/OR EARLY MORNING RESTRICTION ORDER POWERS

The Chairman of the Licensing Committee introduced this item, and requested that the Council consider a recommendation from the Licensing Committee in relation to the Late Night Levy and/or Early Morning Restriction Order powers for licensed premises

A Member suggested that to introduce the Late Night Levy would be wrong, as it would penalise licensed businesses, and drew attention to the fact that only two Councils had implemented such proposals at the present time. Another Member felt that the Council should keep an open mind and review the decision in two or three years' time.

RESOLVED that the Late Night Levy and Early Morning Restriction Order powers be not adopted at this time.

Record of Voting - for 35, against 0, abstentions/did not vote 2, absent 7.

CL.71 ADOPTION OF THE MODEL BYELAWS FOR ACUPUNCTURE, TATTOOING, SEMI-PERMANENT SKIN COLOURING, COSMETIC PIERCING AND ELECTROLYSIS

The Cabinet Member for Communities and Health, requested that the Council consider the adoption of the model byelaws relating to cosmetic piercing.

The Cabinet Member explained that the current byelaws dated back to 1983 and the range and nature of the businesses had changed considerably since then. They needed updating to ensure the protection of the public.

RESOLVED that:

(a) the byelaws for acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis, attached at Appendix 'A' to the circulated report, be adopted and sealed on behalf of the Council;

(b) the Head of Legal and Property Services be authorised to take all necessary steps in connection with the making of these byelaws, including:-

- (i) sealing the byelaws on behalf of the Council;**
- (ii) giving public notice of the byelaws;**
- (iii) making application to the Secretary of State for Health for their confirmation;**

(c) subject to confirmation of the new byelaws, the existing byelaws relating to acupuncture, tattooing and ear-piercing and electrolysis, made by the Council on 25th July 1983 and confirmed by the Secretary of State for Social Services on 15th December 1983, be revoked.

Record of Voting - for 36, against 0, abstentions/did not vote 0, absent 8.

CL.72 MEMBER ATTENDANCE

This item was no longer required

CL.73 ANY OTHER ISSUES ARISING FROM THE CABINET

There were no other issues arising from the Cabinet.

CL.74 ISSUES/REPORTS ARISING FROM AUDIT AND SCRUTINY

There were no other issues/reports arising from Audit and Scrutiny.

CL.75 NOTICE OF MOTION

In accordance with Council Procedure Rule 12, the following Motion (No. 1/2014) had been Proposed by Councillor PR Hodgkinson and Seconded by Councillor Mrs. JL Hincks:

'This Council notes with alarm the failure by the South West Ambulance Service to hit its response time targets in the Cotswolds by large margins (the worst performance in Gloucestershire). It calls on the service to urgently hit its targets, thereby giving Cotswolds residents the service they deserve.'

The Chairman of the Council explained that, in accordance with Council Procedure Rule 12, he considered that it would be appropriate for the Motion to be debated by the Council at the Meeting.

In Proposing the Motion, Councillor Hodgkinson explained that the South West Ambulance Service had missed its response time targets in every category for the Cotswolds, which had the worst response times for the entire Western Region and none worse in the previous eighteen months. The target was for 75% of calls to be responded to within eight minutes, but the figure for the Cotswolds was 46-47%. In urban Cheltenham Borough, the figure increased to 80-90% but even the fairly rural Stroud District had a figure of around 60%. Councillor Hodgkinson requested the Council to urge the South West Ambulance Service to hit its targets. He gave an example of a Siddington resident whose wife had collapsed in the street and had to wait in freezing temperatures for one and a half hours before an ambulance arrived - fortunately the lady had survived and was making good progress. The District needed an ambulance service comparable with any other area. Councillor Hodgkinson wanted to record that individual crews were excellent and he had asked some crew members how they wanted the service to improve. The people of the Cotswolds needed to be assured that the service would improve and a united stand by all Members of the Council would give a clear message.

Councillor Mrs. Hincks formally Seconded the Motion. Councillor Mrs. Hincks stated that the Ambulance service response times had been consistently below target throughout 2013, in both the eight-minute and the less severe case of the 19-minute response times, falling behind even the Forest of Dean District, which was as rural as the Cotswolds. Councillor Mrs. Hincks referred to her family's experience of these failings, including recently waiting over three hours from making the first 999 call to getting to hospital, even though her husband was considered an extreme emergency; this was unacceptable. In the north Cotswolds, waiting times were even longer. Councillor Mrs. Hincks stated that residents who had to travel to Gloucester or Cheltenham to get emergency care complained that the service they received was unsatisfactory with waiting times often several hours. Crews were often not based in Gloucestershire and, therefore, not familiar with the area, which led to delays that, ultimately, could result in fatalities. The people of the Cotswolds, including those in the north of the area, needed reassurance that ambulance response times were comparable with those in urban areas and not falling behind and becoming second best.

The Chairman of the Audit and Scrutiny Committee, Councillor Jim Parsons, explained that he had raised the matter at a recent meeting of the County

Council's Health and Care Overview and Scrutiny Committee. He had learned at that meeting that 100 new First Responders were to be recruited as a means of improving response times, but he would raise the matter again at the next meeting if the Council wished. Councillor Hodgkinson thanked Councillor Parsons for this offer.

The Leader of the Council stated that he and his Group supported the Motion. He would go further, by stating that the recruitment of 100 First Responders was an effort to conceal the true position and he would ask the Chief Executive to write to his counterpart in the South West Ambulance Service stating that the Council did not believe the service was fit for purpose in the District, with the letter to be copied to everyone relevant.

Other Members spoke in favour of the Motion, to which there was no opposition.

RESOLVED that the Motion be supported.

Record of Voting - for 34, against 0, abstentions 0, absent 10.

CL.76 SEALING OF DOCUMENTS

RESOLVED that the Common Seal of the Council be affixed to all contracts, conveyances and any other documents necessary for carrying into effect all resolutions passed by the Council.

Record of Voting - for 34, against 0, abstentions 0, absent 10.

The Meeting commenced at 10.00 a.m., adjourned between 11.00 a.m. and 11.15 a.m., and closed at 1.05 p.m.

Chairman

(END)