

COTSWOLD DISTRICT COUNCIL

COUNCIL

16TH DECEMBER 2014

Present:

Councillor Clive Bennett - Chairman
Councillor Mark F Annett - Vice-Chairman

Councillors -

Julian Beale	RP Hooper
JGK Birch	Sir Edward Horsfall
DC Broad	JP Hughes
John Burgess	Mrs. Sheila Jeffery
Sue Coakley	Mrs. SL Jepson
PCB Coleman	Ms JM Layton
DE Collier	AJ Lichnowski
Mrs. VB Crosbie Dawson	DJ Nash (until 11.15 a.m.)
BS Dare	Mrs. Carolyn Nicolle
RW Dutton	David Penman
David Fowles	Mrs. M Phillips
BD Gibbs	Mrs. MS Rickman
C Hancock	GM Selwyn
JA Harris (until 11.20 a.m.)	Lynden Stowe
Mrs. DE Hicks	R Theodoulou
Mrs. JL Hincks	Mrs. CH Topple
SG Hirst	M Wardle (until 11.20 a.m.)
PR Hodgkinson	LR Wilkins

Apologies:

Sandra Carter	NJW Parsons
RL Hughes	Lee Searles
EGJ Jenkins	
Jim Parsons (absent on Council business)	

CL.23 DECLARATIONS OF INTEREST

(1) Member Declarations

There were no declarations from Members.

(2) Officer Declarations

There were no declarations from Officers.

CL.24 MINUTES

RESOLVED that, subject to the amendment of the date in the sixth line of the first full paragraph of text on page 13 to read '8th March 2014', Minute CL.15(1) refers, the Minutes of the Ordinary Meeting of the Council held on 23rd September 2014 be approved as a correct record.

Record of Voting - for 33, against 0, abstentions 3, absent 6.

CL.25 ANNOUNCEMENTS FROM THE CHAIRMAN, LEADER OF THE COUNCIL OR HEAD OF PAID SERVICE

(i) Honorary Alderman Miss Margaret Edney - the Chairman welcomed Honorary Alderman Miss Edney to the Council Meeting.

(ii) Civic Service - the Chairman reported that this year's Civic Service would be held at All Hallows Church, South Cerney on Sunday 8th February. Invitations would be sent out in due course, and he hoped that many Members would be able to attend.

(iii) Notice of Motions - the Chairman advised that he intended to allow both Motions to be debated at this Meeting.

(iv) Councillor David Fowles - the Leader referred to the decision by Councillor David Fowles in October 2014 to stand down from the Cabinet in order to concentrate on his work commitments. Councillor Fowles had served on the Cabinet since May 2004 and had taken on various roles, including overseeing the building of the new Cotswold Leisure Centre and its subsequent refurbishment after the flood in July 2007; various other flooding issues; and waste projects. On behalf of the Council, the Leader thanked Councillor Fowles for all his work.

There were no announcements from the Head of Paid Service.

CL.26 PUBLIC QUESTIONS

No public questions had been received.

CL.27 MEMBER QUESTIONS

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

(1) From Councillor JA Harris to Councillor Chris Hancock, Cabinet Member for Enterprise and Partnerships

'After years of criticism the Conservative administration has finally removed the hated policy of 24/7 parking charges that it implemented in 2012. Why has the administration done this?'

Response from Councillor Hancock

'Although we originally intended to charge for Sunday and overnight parking at all car parks across the District, we listened to the views

expressed through a public consultation and, instead, introduced this on a pilot basis at one car park only - the Brewery - in January 2012. As a result, the income from the additional charges has enabled the Council to re-invest in new card-enabled pay and display machines in this car park.

Whilst the Council has seen no evidence to suggest that the trial at the Brewery car park has had an adverse impact on any businesses or the public in general, we have been made aware that those living nearby are concerned that the overnight charges have increased demand for on-street parking in their neighbourhood. To counter these concerns, we are removing the overnight charges at the Brewery from 6.00 p.m. to 8.00 a.m. Furthermore, we are launching a £50 per year off-peak 'plus' ticket for all our car parks which will allow the public access both during off-peak periods (8.00 a.m. to 10.00 a.m. and 4.00 p.m. to 6.00 p.m.) and also all day on weekends. We believe this will be particularly welcomed by motorists living in areas with no resident parking zones or in streets with high parking demand - as well as bringing benefits to regular shoppers and those who only work on weekends. These changes, and other improvements to parking charges, will start on Monday 12th January 2015.'

Councillor Harris thanked Councillor Hancock for his response and stated that whilst the changes were to be welcomed, Sunday charges still applied in some car parks in the District. He questioned why these charges could not be removed and sought a fairer charging regime.

In response, Councillor Hancock acknowledged that charging did still apply in some car parks on Sundays. However, it would be totally unrealistic to expect that all charging would be removed, as the provision of car parks was a discretionary service to the public. Any reduction or removal of charges would either impact on other service provision or the level of Council Tax. It was important for a measured approach to be taken, and a car parking strategy was being drawn up in conjunction with the Local Plan process.

(2) From Councillor PR Hodgkinson to Councillor Lynden Stowe, Leader of the Council

'What is the total amount spent by this Council on consultants on any work associated with the Local Plan since May 2011?'

Response from Councillor Stowe

'In accordance with our Constitutional requirements, I asked Councillor Nick Parsons to respond to your question, as the Cabinet Member with responsibility for Local Plan matters.

Councillor Parsons has advised that the total amount spent to date is £321,593.73. Overall expenditure is approved by the Cabinet, and individual items of spend are published monthly on the Council's website, along with details of our other spending.'

Councillor Hodgkinson expressed his disappointment that a considerable amount of money had been spent on consultants yet the Council was still a long way off having a robust Plan in place. This was even more disappointing given that it was

known that the previous Plan only covered the period to 2011. He questioned how the Plan could be so late when so much money had been spent.

In response, Councillor Stowe reiterated that the production of a Local Plan was lengthy, complex and onerous. To that end, the process had been overseen by a cross-party Programme Board, who not only provided Member oversight and guidance on developing the Local Plan but could also challenge any aspect of the process, including the need for specific pieces of work. However, the Board has been supportive of what had been done. Furthermore, the over-arching funding decisions as a Cabinet had not given rise for concern through the Audit and Scrutiny Committee.

Councillor Stowe explained that the production of the Plan was also an iterative process that required constant updating. The Plan-making process required all of proposals to be based on extensive evidence gathering and analysis, and there was the need to ensure that all of that evidence was sufficiently robust and up-to-date to meet national requirements so that, ultimately, the Plan was declared 'sound' when tested at examination.

In his view, the Council had responded to the various challenges, changing tack where necessary, not least in terms of responding to ever changing housing supply figures as a result of appeal decisions. Change had been frequent and often drastic.

In summary, the Leader stated that the Council was faced with a major project of significant importance to the District. Given national guidance and regulations, and the experience of others, it was vital to do things properly, despite the work and cost involved.

CL.28 PETITIONS

No petitions had been received.

CL.29 REPORT FROM LICENSING COMMITTEE - STREET TRADING POLICY

The Chairman of the Licensing Committee presented the report and recommendation of that Committee in respect of a Street Trading Policy for the Council. In so doing, he drew attention to the deliberations of that Committee, and highlighted the resultant changes proposed to the Policy.

Officers responded to a number of questions from Members relating to issues taken into account when determining suitable trading locations; hybrid events; and the consultation responses.

RESOLVED that the Street Trading Policy be approved.

Record of Voting - for 37, against 0, abstentions 1, absent 6.

CL.30 REVIEW OF POLLING DISTRICTS AND POLLING PLACES

The Head of Democratic Services explained that the Council had a duty to carry out a statutory review of all polling districts and places at regular intervals. The circulated report set out progress to date, and a way forward to ensure that the statutory requirements were met.

It was explained that the timing of the review had been impacted by the recent Community Governance Review of Parish Arrangements and District Electoral Review, which had also constrained the available time to conduct the review. The suggested way forward represented a pragmatic approach that balanced the ability to address any major issues of concern against the desire to minimise change in advance of major national and local elections in May 2015, and given the warding changes introduced at District level.

It was noted that, as part of every major election carried out, polling station visitors undertook a personal inspection of all polling stations in use, and took a view as to the facilities provided and accessibility issues. In addition, Officers also sought to address any issues that occurred between elections.

Due to this on-going review process, it was considered that, by and large, the existing polling places and stations remained fit for purpose. However, if any major issues were identified as part of the review, which could not be addressed fully in time for the 2015 elections, an additional review could be undertaken in advance of the next compulsory review (to be timed so that it was effective in advance of the County Council elections in 2017).

The circulated report set out proposals for polling districts and polling places based on the consultation responses received at the time of report production, and an update was circulated at the Meeting which set out the additional responses/proposals received since that time.

In response to questions, the Head of Democratic Services confirmed that the implications of a triple election (Parish, District and Parliamentary) were being fully assessed in advance, not only in terms of polling station locations and staffing but also in respect of all other aspects, e.g. postal votes, verification, count etc.

RESOLVED that:

(a) subject to (i) the use of a portacabin alongside the Coln Village Stores shop as the polling place for electors of Coln St Aldwyns Parish; (ii) the use of The Dolphins Hall, Tetbury as the polling place for electors of Tetbury Upton Parish; and (iii) resolution (b) below, the polling districts and polling places set out at Appendix 'A' to the circulated report be approved;

(b) the Head of Democratic Services, in consultation with the relevant Ward Member(s), be given delegated authority to allocate alternative polling places within the identified polling districts as is necessary to enable the efficient and effective conduct of elections in the light of any representations received by the consultation deadline;

(c) if necessary, an additional review be undertaken in advance of the next compulsory review.

Record of Voting - for 38, against 0, abstentions 0, absent 6.

CL.31 REQUEST FOR COMMUNITY GOVERNANCE REVIEW - CIRENCESTER TOWN COUNCIL

The Head of Democratic Services reported a request for a further Community Governance Review to be undertaken in relation to the number of councillors to represent Cirencester Town Council.

It was explained that the request had arisen due to consequential amendments at Parish level that had flowed from the outcome of the recent District Electoral Review undertaken by the Local Boundary Commission for England (LGBCE).

Insofar as Cirencester was concerned, at District level, the town would be divided into 8 no. single-member wards with effect from the 2015 elections. However, this had led to the need for consequential warding arrangements at Town Council level, with 8 no. coterminous wards. However, as LGBCE was unable to change the number of town councillors, this had resulted in a Final Recommendation which saw the retention of 15 town councillors, with seven wards returning two members and one of the wards (New Mills) returning just one member. The Town Council had expressed concerns that the recommendations did not result in the ratio of the number of local government electors to the number of members of the council being the same in every electoral area, and that the impact of the recommendations did not reflect the best interests of the New Mills ward compared to the other wards in Cirencester in respect of democratically-elected representation and local democracy.

The Head of Democratic Services confirmed that the request for a further review was reasonable given the change in circumstances appertaining to the future warding arrangements for Cirencester Town Council, and the inequality that would exist if existing councillor numbers were retained and 'super-imposed' onto the new wards. While there was not sufficient time for any change to be implemented in time for the May 2015 elections, a by-election process could be used to secure the additional member as soon as any Order took effect.

RESOLVED that the Council agrees to undertake a further Community Governance Review, specifically in relation to a proposed increase in the number of councillors to represent Cirencester Town Council to sixteen; and the consequent increase, to two, of the number of town councillors to represent the proposed New Mills Ward.

Record of Voting - for 38, against 0, abstentions 0, absent 6.

CL.32 OTHER ISSUES/REPORTS ARISING FROM THE CABINET

There were no other issues/reports arising from the Cabinet.

CL.33 ISSUES/REPORTS ARISING FROM AUDIT AND SCRUTINY

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

CL.34 NOTICE OF MOTIONS

The following Motions had been received, and the Chairman of the Council re-affirmed that, in accordance with Council Procedure Rule 12, he intended to allow both Motions to be debated at the Council Meeting:-

(i) Motion 7/2014

The following Motion had been Proposed by Councillor PR Hodgkinson and Seconded by Councillor Ms JM Layton:-

'This Council notes the poor or non-existent mobile phone coverage in many parts of the Cotswold district.

It notes that good coverage can help avoid isolation, improve personal security and is good for the local economy. As a result, it requests the CEO to write to the mobile phone companies calling for better coverage and a detailed plan of how it will be improved, with timescales.'

In Proposing the Motion, Councillor Hodgkinson explained that his Motion sought the Council's support to apply pressure on mobile phone companies in an attempt to get a fairer deal when it came to a decent phone signal in the District.

Councillor Hodgkinson stated that the problem was not new, and had been regularly raised, yet there remained a large number of 'not spots' in the Cotswolds with many villages having little or no mobile coverage, and even the towns had 'black holes' too. He believed that the Cotswolds was one a small number of areas in England that had poor or non-existent mobile coverage, especially in the rural parts of the District.

Councillor Hodgkinson also stressed that mobile coverage not only added to personal security but was also an essential pre-requisite for running a business from home. He added that, currently, the mobile phone service across the area varied depending on a person's phone operator; and whilst the Government had pledged extra cash to boost coverage across the country, he felt that, so far, this had had little impact on the Cotswolds.

In formally Seconding the Motion, Councillor Ms Layton backed the call for a phone service that befitted the modern age, adding that, without good and reliable coverage, a mobile phone, however 'smart', was simply a weight in a pocket.

Councillor Ms Layton drew attention to the fact that the number of functional public phone boxes was in decline, and that rural areas with no mobile coverage were left vulnerable when emergency, business and social calls were impossible or cut off through weak signal.

During the ensuing debate, suggestions were made as to other organisations that could be contacted to seek support and/or action, such as Ofcom and BT, and the Proposer and Secunder were content for the Chief Executive to use his knowledge and judgement in an attempt to maximise the prospect of success.

Councillor Hodgkinson was invited to sum up and he thanked the Council for its support of the Motion, stating that it was time for the people and businesses of the Cotswolds to benefit from a fair and decent service right across the area.

RESOLVED that the Motion be supported.

Record of Voting - for 38, against 0, abstentions 0, absent 6.

(ii) Motion 8/2014

The following Motion had been Proposed by Councillor BD Gibbs and Seconded by Councillor David Fowles:-

'This Council thanks and congratulates the five Gloucestershire MPs, Gloucestershire County Council, the Local Enterprise Partnership and the thousands of people who signed the petition which helped secure Government funding for the stretch of the A417 around the Air Balloon (the 'Missing Link'), and urges the Government to press ahead as quickly as possible with the work.'

In Proposing the Motion, Councillor Gibbs explained that he believed that it was right to place on the formal record the thanks and appreciation of the Council to all of those who had come together with a unified voice to campaign for the provision of Government funding to secure a solution to the 'Missing Link'.

Councillor Gibbs stated that the award of £255m funding would not have been possible without the tireless work of five of the six MPs within Gloucestershire and, in particular, Geoffrey Clifton-Brown, MP for The Cotswolds Constituency, who had been lobbying Ministers for many years; Gloucestershire County Council, who had pledged its own financial support to assist the campaign and for preparatory ground-works; GFirst Local Enterprise Partnership, for securing monies through the Gloucestershire Growth Programme and for adding weight by making the improvement scheme its main transport priority; and, not least, the many businesses and individuals who had pledged their support to the campaign. Councillor Gibbs expressed the hope that things would now progress as quickly as possible.

Councillor Fowles formally Seconded the Motion, and echoed the comments of Councillor Gibbs. Councillor Fowles referred to problems associated with the current situation, and how the lives of many had been blighted over the years by congestion, accidents and pollution. He expressed some regret that the scheme had not been supported by all of the County's MPs, but hoped that all would now pull together to ensure that the scheme came to fruition as soon as possible.

The Council then debated the Motion, with many Members speaking in support. It was, however, pointed out that the campaign had truly crossed party political boundaries, with a common support for a scheme that would deliver much-needed improvements. As such, an Amendment was Proposed and Seconded to the Motion, which sought to include a reference to local councillors in the list of those to whom the Council should extend its thanks. This Amendment was accepted by the Proposer and Secunder of the Motion.

It was acknowledged that alternative solutions had been mooted in the past, and that the currently-preferred scheme still had opponents and had generated concerns, particularly on environmental grounds. However, it had to be acknowledged that something needed to be done given the traffic gridlock that existed, which was of regional significance and also impacted businesses; the accidents that had occurred, including a number of fatalities; and the pollution levels. It was considered essential for unity of support to be maintained, and for the scheme to be expedited.

Councillor Gibbs was invited to sum up and, in so doing, he thanked the Council for its support of the Motion and expressed the hope that matters would progress as quickly as possible.

RESOLVED that the Motion, as amended, be supported.

Record of Voting - for 36, against 0, abstentions 1, absent 7.

CL.35 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 37, against 0, abstentions 0, absent 7.

CL.36 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public and Press be excluded from the Meeting for the following item of business on the grounds that it involves likely disclosure of exempt information as defined in paragraph (1) of Part I of Schedule 12A to the said Act (information relating to an individual) and that the public interest in maintaining the exemptions outweighs the public interest in disclosing the information concerned.

Record of Voting - for 35, against 0, abstentions 0, absent 9.

CL.37 REPORT UNDER THE COUNCIL'S PAY POLICY STATEMENT

The Leader of the Council introduced this item, and reported proposals to share a Strategic Director for Planning between this Council and West Oxfordshire District Council.

The Leader responded to a number of questions from Members relating to the new shared Director arrangement, the pensions position, and the financial and other implications; and explained that the financial costs of the resultant severance package were required to be reported to the Council for approval, in accordance with the Pay Policy Statement.

RESOLVED that the financial costs of the severance package be approved.

Record of Voting - for 6, against 0, abstentions 0, absent 1.

The Meeting commenced at 10.00 a.m. and closed at 11.30 a.m.

Chairman

(END)