

COTSWOLD DISTRICT COUNCIL

COUNCIL MEETING

29TH SEPTEMBER 2015

Present:

Councillor Mark F Annett - Chairman
Councillor Julian Beale - Vice-Chairman

Councillors -

SI Andrews	Mrs. JL Hincks
Miss AML Beccle	RC Hughes
AW Berry	RL Hughes
T Cheung	RG Keeling
Sue Coakley	Ms JM Layton
Miss AJ Coggins	MGE MacKenzie-Charrington
PCB Coleman	Jim Parsons
BS Dare	NJW Parsons
RW Dutton	SDE Parsons
Jenny Forde	NP Robbins
David Fowles	Mrs. TL Stevenson
C Hancock	Lynden Stowe
JA Harris	R Theodoulou
M Harris	LR Wilkins
Mrs. JM Heaven	

Apologies:

AR Brassington Mrs. SL Jepson
SG Hirst

CL.13 DECLARATIONS OF INTEREST

(1) Declarations by Members

There were no declarations of interest by Members.

(2) Declarations by Officers

The Chief Executive declared an interest in respect of Agenda Item (9) - 2020 Vision Programme, as Cabinet Recommendation (j) sought the Council's agreement to appoint him as the Partnership Managing Director. Given his integral involvement in the 2020 Vision Programme, he would remain in the Meeting to answer any questions that might arise; but he would withdraw and leave the Council Chamber if Members wished to debate any issue relating to that recommendation which related to his proposed future role.

CL.14 MINUTES**RESOLVED that:**

(a) subject to the references to 'Treasury Management Strategy 2014/15' being amended to refer to 'Treasury Management Strategy 2015/16' within items (iv) and (v) of the list of Declarations of Interest by Members (Minute CL.38 refers), the Minutes of the Meeting of the Council held on 24th February 2015 be approved as a correct record;

Record of Voting - for 16, against 0, abstentions 15, absent 3.

(b) the Minutes of the Annual Meeting of the Council held on 19th May 2015 be approved as a correct record;

Record of Voting - for 28, against 0, abstentions 3, absent 3.

(c) subject to the deletion of the word 'film' and its replacement by the word 'record' in the second line of the Note to Minute CL.10, the Minutes of the Extraordinary Meeting of the Council held on 18th August 2015 be approved as a correct record.

Record of Voting - for 28, against 0, abstentions 3, absent 3.

Arising on the Minutes of 24th February 2015 - Member Questions - Mobile Phone Coverage (CL.42)

In response to a question, the Head of Democratic Services explained that the main providers were being asked for an update on their plans for better coverage across the Cotswolds.

Arising on the Minutes of 19th May 2015 - Appointment of the Cabinet (CL.7)

In response to a question, the Leader explained that, in the event, he had decided not to move forward with a Cabinet of six for the current year given that the majority of the key tasks for the year were in essence a continuation of projects from the previous year, such as 2020 and the Local Plan, and he had felt that the team in place was the right one to deliver on such issues. However, such decision did not mean that an increase in numbers would not occur in the future, should circumstances merit.

CL.15 ANNOUNCEMENTS FROM THE CHAIRMAN, LEADER OR HEAD OF PAID SERVICE

(i) Filming/Recording of Proceedings - the Chairman explained that the Council had previously received a 'standing' notification from a member of the public that he intended to film Council Meetings, and stated that although nothing specific had been received regarding that day's proceedings, the Council would make its own audio recording of the Meeting.

(ii) Motion 3/2015 - the Chairman explained that, as previously advised to Members, he had decided that, once formally Proposed and Seconded, Motion 3/2015 would stand referred to the Cabinet for consideration. The item was likely to be placed on the agenda for the Cabinet's October Meeting.

(iii) Members' Christmas Lunch - the Chairman explained that the traditional Members' Christmas Lunch would be held on Tuesday 15th December 2015, following the Ordinary and Special Council Meetings scheduled to be held on that date. Invitations/menus would be sent out in due course.

CL.16 LONG SERVICE AWARD

The Chairman of the Council presented a long service award to Roz Brazier of the Council's Environmental Health Team. Such awards were made to staff who had achieved 25 years' service in local government, of which at least 10 had been with this Council.

The Chairman reported that Roz had started her local government career on 1st January 1974, just before the last major local government reorganisation. She had joined CDC as a clerk/typist in July 1990, and the role had covered many clerical and administrative duties, including covering as the director's secretary. In April 2002, Roz had taken over as office system administrator, and had continued in that role until April 2010, when she had been appointed to her current role of Emergency Planning Support Officer. The Chairman explained that Roz was a focal point of the Council's emergency planning team, providing vital support and co-ordination in difficult times.

The Chairman congratulated Roz on her service and commitment to the Council, and Members echoed those sentiments.

CL.17 PUBLIC QUESTIONS

In accordance with Council Procedure Rule 10, a number of public questions had been submitted subsequent to the despatch of the Council agenda and after the deadline by which responses could be guaranteed in advance of, or at, the meeting - the first question having been submitted on Friday 25th September 2015; and the other two questions on 28th September 2015. However, it was understood that the Members to whom the questions had been addressed would seek to provide responses.

(1) From Mr. AR Dickinson of South Cerney to Councillor Lynden Stowe, Leader of the Council:-

'At the Cabinet Meeting of June 11th 2015, in answer to a question regarding all costs that the Council had incurred directly related to the planning application(s) in respect of the Packer's Leaze waste site, the Council confirmed a cost of £86,608 . This figure was confirmed by a number of Councillors to be grossly incorrect and a figure closer to £200,000 being more accurate. Why is getting accurate truthful financial information relating to public spending by the Council so difficult to obtain and Freedom of Information requests unanswered?'

Councillor NJW Parsons, as the Cabinet Member responsible for this issue, provided the following response:-

'Your question to Cabinet sought information in respect of expenditure on all related items pertaining to the two planning applications. This was the basis on which the response was provided; and this was replicated in the schedule of payments to Eunomia (and others)

subsequently provided to you. That schedule provided the rationale behind the way in which costs had been split.

As such, we believe that the figure in relation to the planning applications was robust and had been arrived at legitimately. There is no question of the Council trying to hide expenditure, as evidenced by our provision of all details of the Eunomia payments (including detailed breakdowns); and, more generally, the fact that, for some time now, the Council has published details of all of its expenditure on a monthly basis, which exceeds the Government's transparency requirements.

The Council seeks to deal with all information requests and queries as expeditiously and as comprehensively as possible - some requests are straight-forward whilst others can be more complex and detailed, and therefore require more significant work to provide responses. Similarly, the Council does not usually seek to enforce the exemption where the cost of complying with a request exceeds the defined 'appropriate limit' - however, this can have an impact on the time taken to provide all of the information.'

By way of a supplementary question, Mr Dickinson asked for the purchase price of the Packer's Leaze site.

In response, Councillor Parsons explained that, as previously advised to Mr Dickinson, until such time as the acquisition was completed, if it was, the information remained confidential. However, the information would become publicly available at that time via the Land Registry.

(2)/(3) From Ms G Somerville and Ms S Lawlor of Kemble to Councillor NJW Parsons, Deputy Leader of the Council:-

'We have attended and read the minutes of the parish council meetings in Kemble, have attended the SHLAA consultation in March 2014, have been in communication with Tony Berry, and have commented within the consultation process in February 2015.

Overview

The land at Station Rd/K2/Kemble Community Gardens (KCG) was leased by the CDC in 2008, to the Kemble Parish Council (KPC) to be used as land for allotments and a community garden as per the parish survey in 2006. The Kemble Parish Council have leased the land and the KCG committee members and plot-holders maintain the site through voluntary efforts. This arrangement has been working well for several years.

It has been suggested by Tony Berry that the land at Station Rd/K2/Kemble Community Gardens has been earmarked for potential sale for development by the CDC and that the Council plans to cancel/withdraw the lease to the Parish Council and KCG in April 2015, do an ecological survey which we understand is already being undertaken, and move forward with selling a part of the land for development of 12 houses. We have been advised that the remainder of the land will be gifted to the Parish Council for use as allotments.

A SHLAA consultation in Kemble in March 2014 produced evidence of 47 views in the community, the majority of which supported land at Clayfurlong K1B, as a suitable site for development. Evidence supporting any other view is subjective and does not hold up to scrutiny.

Letters, a petition and further written documentation was submitted in February 2015 to the CDC, in response to their 6 week consultation. Letters and a petition signed by 213 people in Kemble was submitted stating that the K2 site is not their preferred site for development and called for further consultation on this matter. We would like this evidence to be acknowledged and noted by the CDC. Hard copies and e-copies are available.

The view of the majority of the village is a wish to save the Community Gardens and register it as Green Space to preserve this invaluable breathing space within the village.

Kemble has had a large share of new housing developments over the last 30 years including West Hay Grove, Clayfurlong, The Oaks, Old Manor gardens and most recently the Top Farm Development of 50 houses including affordable homes.

The KCG is a much loved area, which is and will be utilised by the local Kemble and wider community for generations to come.

*The Kemble community and the Kemble Parish Council have jointly supported and submitted a Green space application to protect the Kemble Community Gardens site **in its entirety**.*

The K2, Station Rd/Kemble Community gardens is an open, much loved and well utilised Green space in an overdeveloped village, the destruction of which even in part, would tear the heart out of the site.

Questions from Gabi Somerville

'Please could you confirm whether the council has already decided to develop this land or whether no final decision has yet been made about the inclusion of K2 in the local plan.'

'Has the CDC has got an open mind on the above issue which will enable the additional evidence of local opinion to be taken into account, and further evidence as it becomes available?'

Question from Sara Lawlor

'What commitment is there from the CDC to take full account of local views in accordance with government policy?'

Councillor NJW Parsons, as the Cabinet Member responsible for this issue, provided the following response:-

'Thank you for your questions and I'm sorry I have not been able to provide you with a written answer today, because we only received the questions yesterday.

This land, known as K2 in the consultation document for the emerging Local Plan, is owned by the Cotswold District Council and was originally classed as strategic housing land owned by the Council as part of its fulfilment of its obligations to provide housing sites throughout the District through the Local Plan process.

A few years' ago, when I was Corporate Resources Member, we were approached by people in Kemble and asked whether they could, for the time being, rent that land in order to use it as gardens; and it was always made very clear that yes they could but it was housing land in the Council's opinion and, therefore, would one day revert from gardens to housing. That said, you will have seen, in the consultation document which we published earlier this year, that the intention is to put forward site K2 as an agreed site which is identified as being suitable for development and, I quote, 'subject to the securing of the long term protection of the community gardens.'

The site has a potential capacity of 12 dwellings and that, at the moment, is the direction in which we are travelling. We will take further representations in due course but this current consultation is now closed. In summary, we will promote this site but we will also seek to save as much of the community gardens as we can.'

By way of a supplementary question, Ms Lawlor asked the following:-

'We are aware of the complications for this site. We also believe that the SHLAA process for the Parish may well not have represented public opinion, and we wanted to know, if the Parish Council is in agreement, could the SHLAA process be redone and resubmitted, as it produced this site as the nominated site for development, as opposed to two other sites. So can the process be redone by the Parish and would it have any impact at all?'

Councillor Parsons responded as follows:-

'The SHLAA process is never locked or set in stone - it continues to run, and we continue to call for sites from time to time at the appropriate opportunity. It was this Council that promoted site K2 in the SHLAA process because we are the owners of the site. Whether or not the Parish Council promoted other sites is a matter for them.'

By way of a supplementary question, Ms Somerville asked the following:-

'The site known as K2 has already been built on and half of it is now housing. We believe that the remaining half, which has been operating as Kemble Community Gardens for the last eight years, meets all the criteria to be a designated green space.

How does the Council balance the need for green space against the need for further housing development in a rapidly growing village, in accordance with its green space policy?'

Councillor Parsons responded as follows:-

‘It is for all members of the public and for all Parish Councils to seek to promote green spaces, and there is a system for doing that. As a local planning authority responsible for preparing a local plan, we have to balance all these issues in order to come to a sensible and measured solution. We will of course listen to all representations made regarding green space.’

CL.18 MEMBER QUESTIONS

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

(1) From Councillor Ms JM Layton to Councillor Sue Jepson, Cabinet Member for Planning and Housing

‘Smaller housing associations often support rural areas by building high quality affordable homes. Can the Cabinet Member for Planning and Housing tell me what sort of support CDC gives to these associations in the Cotswolds, such as Cirencester Housing Association, our local provider?’

Response from Councillor Jepson

‘The Council, through its Strategic Housing Team, works closely with registered providers to bring forward rural developments, helping in identifying need, assisting Section 106 Agreement discussions, and liaising with the Homes and Communities Agency to secure approval for schemes to be included in the Affordable Homes Programme - a recent example being the 11 homes in Bibury.

The Council has also provided financial support utilising commuted sums. Cirencester Housing Society received a grant in 2012 towards affordable housing provision.

Cotswold District Council is a member of the Gloucestershire Rural Housing Partnership, which is co-ordinated by the Gloucestershire Rural Community Council (GRCC). It meets regularly with housing associations and other partners to support the delivery of rural housing. The partners include the rural local authorities and registered providers which deliver rural schemes.

The partners also contribute to the funding of the GRCC’s Rural Housing Enabler. The Enabler undertakes parish housing needs surveys, working with local parish and town councils; helps to identify potential housing land; and liaises with the landowners. The Strategic Housing Team combines the results of the parish surveys with other evidence bases to give as complete a picture of need as possible.’

Councillor Ms Layton referred to the mention, in Councillor Mrs. Jepson’s response, of the 11 affordable homes in Bibury which the Planning Committee had been invited to see the previous month during Sites Inspections. These homes had been constructed on an exception site and were of an exceptional quality with innovative energy saving features making

them affordable to run - an ethos of Cirencester Housing which she considered should be applauded and supported by the Council.

By way of a supplementary question, Councillor Ms Layton asked whether the Cabinet Member, or Councillor Stowe, could advise on the sums of money in the grants allocated by CDC, and what percentage that was towards the cost of the builds.

In the absence of the Cabinet Member, and given the detailed nature of the question, the Leader confirmed that a written response would be provided.

(2) From Councillor JA Harris to Councillor Sue Jepson, Cabinet Member for Planning and Housing

'The Government's decision to cut council and housing association rents by 1% means that smaller providers of social housing will lose thousands of pounds worth of income. This in turn means that future schemes, like the excellent Arlington Fields development in Bibury that the planning committee recently visited, might not happen. Does the cabinet member agree that we should support smaller housing providers and that smaller developments across the District will play a big part in addressing the housing crisis across the Cotswolds?'

Response from Councillor Jepson

'Small affordable housing developments not only contribute to meeting the District's housing needs but also the sustainability of local communities and services.

All associations are affected by the rent reductions and the Strategic Housing Team is working closely with registered providers and developers to safeguard the delivery of affordable housing on schemes coming forward.

Assistance could include financial support through the use of commuted sums, different delivery models and tenures to assist viability, and through the work of the Gloucestershire Rural Housing Partnership (referred to in my response to Councillor Juliet Layton).'

Councillor Harris stated that, whilst acknowledging the work of the Council's Housing Team, he felt that the Council was only doing the minimum when it came to trying to address the housing crisis in the District, whereas more needed to be done. He believed that the Conservative Government's move to extend the Right to Buy Scheme could have a potentially devastating effect on the Cotswolds, given that many local people could not afford to buy houses so needed social rented accommodation. Councillor Harris contended that this policy had the potential to reduce the stock available and, unfortunately, the provision of new housing did not match the reducing stock.

Councillor Harris therefore asked the Leader if he would work with him and the Cabinet Member to find solutions to curtail the Right to Buy scheme in the Cotswolds and see how the Council could subsidise the smaller housing associations so that they were not impacted by the Government's 1% rent reduction.

In response, the Leader stated that he supported the Government's Right to Buy Scheme and, looking at the amount of affordable homes coming forward, particularly from appeal decisions, felt that the District was in a period of affordable housing provision that the Council had not seen for many years. He believed that, over the next five to seven years, the District would see a substantial number of social houses being built and suspected that the Council might well in fact receive a number of complaints that such properties were not being occupied by local people, but that this would probably be due to there not being enough local people on the waiting lists for the properties available - he believed that this was more likely to be the issue over the next few years.

(3) From Councillor Mrs. JL Hincks to Councillor Lynden Stowe, Leader of the Council

'What is the Council doing to prevent residents being taken to court due to defaulting on council tax as a result of the spare room subsidy (bedroom tax)?'

Response from Councillor Stowe

'First and foremost, there is no evidence that the application of the Spare Room Subsidy to a household's Housing Benefit claim would result in that household defaulting on their Council Tax - they are much more likely to default on their rent, which would then become a Landlord/Housing Benefit section issue rather than a Council Tax collection issue. As the Housing Benefit Team and the Housing Team are part of the same Service, those teams are able to work together, and closely with Registered Housing Providers, to find more suitable (and affordable) accommodation. While alternative housing options are being explored, we have access to the DWP Grant-Funded Discretionary Housing Payment scheme. These discretionary funds are used to top-up a household's Housing Benefit entitlement temporarily.'

However, in relation to any Council Tax accounts that fall into arrears, the Council has the following provisions:

- The Council Tax Collection and Recovery Teams work proactively with all Tax Payers that fall into arrears, to avoid Court action.*
- We can offer 12 month instalment plans, rather than the standard 10 month (April to January) plans, which helps spread the liability.*
- We have a Client Support Officer within the Revenues and Housing Support Service. Their role is help residents claim all of the welfare benefits that they are entitled to, support households in tackling their debt problems, provide household budgeting advice and assist households in properly addressing their housing needs.*
- The Council operates a Council Tax Support scheme that assists those that are on out-of-work benefits or on low incomes. The CDC local scheme is much more generous than the average national scheme (the CDC scheme minimum*

deduction is 8.5%, whereas many local authorities operate schemes with a minimum deduction of 20% or more).

- *Where the Council is left with no option but to issue a summons:*
 - *We will attempt to make contact with the debtor before the court date (to try and make an arrangement and avoid Court Costs being applied to the debt),*
 - *If this fails, we will continue to attempt to make contact with the debtor after a Liability Order has been granted (to avoid further recovery action being taken),*
 - *CDC's Court Costs are well below the National Average,*
 - *Revenues Officers will endeavour to make an arrangement with any debtor at any stage of the recovery process.'*

In thanking the Leader for his answer, Councillor Mrs. Hincks referred to recent studies that had shown that this tax had had a knock-on effect on council tax due to tenants having to choose between paying the rent, as their housing benefit had been reduced due to the 'bedroom tax', or defaulting on their council tax.

In referring to the answer provided, Councillor Mrs. Hincks also drew attention to the mention made that the tenants had access to DHP, but stated this was designed for short-term help and was not an appropriate mechanism to allow for on-going issues of helping those tenants who still had financial problems. She also referred to evidence which showed that people were unable to get out of the situation of the problem of having 'empty bedrooms' due to a shortage of smaller properties, and jobs not being available where they lived; and that, in a recent survey of councils, 58% of those that had responded had already spent at least 50% of their annual allocation of DHP.

By way of a supplementary question, Councillor Mrs. Hincks asked how many people the Council took to court each month, and questioned whether the money incurred would not be better spent on providing more support for tenants. Councillor Mrs. Hincks also suggested that the Council should consider being more proactive in chasing those whose council tax was written off each month.

In response, the Leader confirmed that the Council's Housing Team were very sympathetic in genuine cases of hardship and/or inability to pay. However, he felt that it would not be appropriate to adopt a general light touch approach, as it was a duty of the Council to collect council tax and strive to collect the full amounts due as required by law. The benefits system was also statutory, and the Council had to abide by what was required of it. In addition, he believed that residents and businesses within the District would expect the Council to collect as much tax as possible.

(4) From Councillor Roly Hughes to Councillor Lynden Stowe, Leader of the Council

'Could the Cabinet member please reveal how much Council tax this authority has written off since 2011/12?'

Response from Councillor Stowe

'The total sum is £358,824.84 - this covers every **complete** financial year since 1st April 2011 (i.e. excluding the current part year).

The following table provides (i) the total Council Tax written off for each complete financial year since 2011/12; (ii) the total Council Tax liability for each year; and (iii) each year's write-off total as a percentage of the total Council Tax liability for each year:

Year	Total Write Off	Total Council Tax Liability	Write Off as % of Total Liability
2011/12	£ 69,009.50	£ 51,896,133.46	0.13%
2012/13	£ 98,419.60	£ 52,776,998.09	0.18%
2013/14	£ 88,067.72	£ 54,767,054.76	0.16%
2014/15	£ 103,328.02	£ 55,778,117.80	0.18%

It should also be remembered that if, having written off a sum, we receive information about a debtor, we will review the case and, subject to no major issues, seek to pursue recovery action.

Councillor Hughes commented that £360,000 was a huge sum of money and felt that the Council should do everything it could to make sure that this figure was reduced down over the coming years. Councillor Hughes suggested that one of the ways the Council could improve its collection rate was to make it easier to pay; and that one such scheme could be a payment card or a barcode printed on the original bill where payments could then be made at pay points that were located in most convenience stores, garages and shops across the District.

Councillor Hughes asked whether the Leader would work with him to see how a payment card or barcode system could be introduced so that it was a little easier for local people to pay their council tax on time.

The Leader explained that, whilst he was happy to take on board suggested improvements, it should be recognised that the Council was relatively successful in collecting council tax. There were essentially two strands - the first being that over last 12 years the administration had done what it could to keep council tax down including, over the last three years, a reduction in council tax levels, as it was acknowledged that the tax was a burden on residents; but, secondly, it was not appropriate to introduce too complex or expensive a system to collect that money. The Leader explained that cash collection was expensive, most people had bank accounts, and payment by direct debit was encouraged as this not only meant that money was received on time but it helped to keep the administrative costs down.

The Leader reiterated that the Council achieved a very good collection record, being ranked 20th out of some 350 authorities. There had been an average in-year collection rate of 98.6%, but further payments were often received in subsequent years which gave rise to improved overall collection rates.

The Leader explained that, when breaking down the amounts written off, there were some categories where nothing could be done, e.g. bankruptcies, deceased without assets; other cases which proved uneconomical to pursue; and absconders, where information was sought from ward members before sums were written off. The Leader was particularly keen to reduce the amounts attributable to the absconder category, particularly as this represented the highest sum being written off. He also did not think that the introduction of a card/cash collection system would impact on the absconder category. In conclusion, the Leader confirmed that he was prepared to look at efficiencies and improvements where possible, but would not wish to revert to a cash collection scheme, particularly when direct debit was working well.

(5) From Councillor JA Harris to Councillor NJW Parsons, Deputy Leader and Cabinet Member for Forward Planning

'Will the Deputy Leader please publish the latest timetable for the emerging local plan?'

Response from Councillor Parsons

'The latest timetable was set out in the Local Development Scheme approved by Cabinet on 9th July 2015; and is available on the website on the pages relating to "Emerging Local Plan" (<http://www.cotswold.gov.uk/residents/planning-building/planning-policy/emerging-local-plan/>)'

Councillor Harris felt that the response provided was inadequate and incongruous, and referred to a press release issued some two years previous, in which the Deputy Leader had stated that, having spent a considerable amount of time gathering and evaluating evidence, the Council needed to move forward with confidence, and that it was believed that the Council would be able to submit a local plan for final approval in early 2015 - yet the most recent local plan timetable had indicated that the earliest the local plan was expected to be submitted to the Secretary of State was in Autumn 2016. Councillor Harris alleged that the administration seemed to have kept this quiet, and contended that many parish and town councils across the district had no idea about this. Councillor Harris felt that the Council should take a chance, in that he believed that a submitted local plan that had been bounced back still held greater weight than one that had not even been submitted.

By way of a supplementary question, Councillor Harris asked how confident the Deputy Leader was that the Council would not have a local plan imposed on it by Government in 2017; and why the administration would not back his confidence by submitting a local plan sooner rather than later.

In response, the Deputy Leader disagreed with the contention that nothing was known regarding the current timetable. In so doing, he referred to the Cabinet papers which had been circulated and were in the public domain, and which contained the Local Plan timetable; press releases that had been issued; a feature planned for the upcoming edition of the Cotswold News; and the Town and Parish Council Liaison Meetings scheduled for November. With regard to Plan submission, the Deputy Leader stated that it would not be sensible, in his judgement or in the judgement of the professional officers, to submit a local plan prematurely because it would be severely attacked if the

Council did not provide the right evidence, and our timetable would be put back very seriously if that was the case.

(6) From Councillor M Harris to Councillor NJW Parsons, Deputy Leader and Cabinet Member for Forward Planning

'Would the Deputy Leader please let me know which wards in Cotswold District have had, or are likely to have, developments as a result of lost appeals since 2013?'

Response from Councillor Parsons

'On the basis of the following criteria (as confirmed by you to officers) -

- (i) your question relates to housing and other schemes;*
- (ii) your question relates to residential developments of three units or more or non-domestic proposals which exceed a quarter of an acre; and*
- (iii) your question relates to information on appeals determined after 1st January 2013;*

then the following (current) wards are impacted -

Abbey; Bourton Village; Campden & Vale; Ermin; Fairford North; Kemble; Lechlade, Kempford and Fairford South; Siddington & Cerney Rural; Stow; Tetbury East & Rural; Tetbury Town; and Tetbury with Upton.'

By way of a supplementary question, Councillor Harris asked what assurances the Deputy Leader could give to him, the residents of the wards identified, other colleagues and the people that councillors represented, that the Council could afford greater weight to the emerging local plan as per National Planning Policy Framework (NPPF) 216 because it was well advanced, there were no unresolved objections and it was consistent with the policies of the NPPF.

In response, the Deputy Leader explained that the rules were such that until the document was submitted to the Planning Inspectorate it carried very little, if any, weight in planning law. It was for this reason that all was being done to expedite matters, and Cabinet would be considering the next consultation document on the development policies at its November meeting.

(7) From Councillor Ms JM Layton to Councillor Sue Coakley, Cabinet Member for Health, Environment and Communities

'With the recent granting of a CLEUD for Packer's Leaze vehicle depot in South Cerney it is very probable that the vehicle movements are likely to be three times the amount of the depot under SITA management. With safety in mind and a sense of community neighbourliness, will CDC undertake to ensure the provision of a cycle/footpath along the full length of Broadway Lane, South Cerney?'

Response from Councillor Coakley

'When formulating proposals relating to the depot site, we did consider the existing cycle/foot path provision in the vicinity, but it appeared that a good network already existed.

As previously stated, the Council is committed to being a good neighbour in the event of the depot operation proceeding, and is happy to consider any practical and affordable improvements. Based on our own previous deliberations, we feel that a more beneficial measure would be a speed limit reduction along Broadway Lane, and we are looking to progress this with the County Council.'

Councillor Ms Layton reiterated the extensive number of vehicle movements along Broadway Lane, which were continually increasing with further residential and light industrial development. This was in direct conflict with the many holiday, leisure and recreational uses in the vicinity; and presented real highway dangers to any pedestrian or cyclist that sought to risk using the road. Councillor Ms Layton also referred to the view of County Highways that the Packer's Leaze site was not compliant with highways standards, and that there were issues regarding the adequacy of the visibility splays. Councillor Ms Layton suggested that the suggested speed limit was an attempt to overcome these deficiencies.

Councillor Ms Layton referred to the significant increase in traffic that would be generated by the Council's extension of the Packer's Leaze vehicle depot, and also due to the further commercial use of the site. Against this background, Councillor Ms Layton asked, on behalf of South Cerney residents, the Parish Council and visitors to the area, that the Council reconsider its findings with regard to the supposed cycle network and, although the speed limit change was likely to be the far cheaper option, to make a decision based on the safest option and provide Broadway Lane with a foot and cycle path from the Packer's Leaze depot to the Spine Road.

In response, the Cabinet Member explained that a footpath existed from the site into the village, and it was this to which her response had referred. She believed that the important consideration was the speed of traffic along the road and the Council would therefore seek to work with County Council Highways to address this. In addition, as a good neighbour, the Council would also respond to the other concerns raised in the consultation and look to improve both the landscaping and noise mitigation on site

(8) From Councillor M Harris to Councillor Lynden Stowe, Leader of the Council

'Some 5 years' ago the Cirencester branch of SCOPE contributed £500 to the leisure centre to help disabled people get in and out of the swimming pool. They report that this facility has not been deployed and every time they enquire, they are pushed from pillar to post. Would the Leader please tell me when this facility will be installed, or when Scope can retrieve their donation, presumably with interest?'

Response from Councillor Stowe

'During the handover phase of the leisure management contract in August 2013 the Council was approached by Sports and Leisure Management (SLM) who had received a cheque for the sum of £7,108 from the SWIM organisation. The people involved with SWIM had fund-raised this amount with the intention of purchasing equipment that would enhance pool access for users who were unable to gain access to the pool. The key concern was to enable swimmers who were unable to 'weight bear' (i.e. needed mechanical assistance to lift from their own chair and into the water and vice versa) to use the pool. The existing provision only allowed users to hoist from the pool surround into the water, but required a manual transfer from the swimmers own chair into the poolside chair, and another transfer from the poolside chair into the pool hoist seat. We assume that Scope contributed £500 to the overall sum raised, but have no direct confirmation of this.

It is understood that, initially, the sum was fund-raised with the intention of providing an upgraded pool transfer hoist to enable a chronically-obese lady access the swimming pool (whose weight far exceeded the safe working load of the standard pool hoist at the leisure centre). Unfortunately, while funds were being raised, the lady died.

Having made contact with the lead fund-raiser, it was agreed that the Council would hold the funds and ring fence them pending agreement as to how the monies were to be spent. We then met representatives from the funding organisation and this resulted in an options paper being prepared (June 2014), with the intention of achieving a consensus so we could move ahead with procurement. The overall project costs ranged from around £13,000 to £20,000, depending on the option to be pursued, with the Council having previously guaranteed a contribution of £5,000.

Unfortunately, we have been unable to secure an agreement regarding the options due to a number of events outside of our control, involving the external groups/organisations/individuals. We have tried to move things along but, unfortunately, we are still awaiting feedback despite numerous attempts.

We have again made contact with the parties involved, to see if they wish to try to re-establish the project or if they would prefer to have the funding used for another leisure-related project, or returned (presumably for use for some other charitable purpose). We will also contact Scope, to explain the current situation and ascertain their wishes regarding their past contribution to the fund-raising.'

Councillor Harris thanked Councillor Stowe for his response, which he would convey to Scope, and confirmed that he did not have a supplementary question.

CL.19 PETITIONS

No petitions had been received.

CL.20 2020 VISION PROGRAMME

The Leader of the Council presented the report and recommendations of the Cabinet in respect of the proposed way ahead for the 2020 Vision Programme.

The circulated documents provided detailed information regarding the partnership venture and, in particular, the arrangements by which the authorities could become more efficient and effective by working together but without sacrificing their political sovereignty, culture and decision-making. The papers also included a copy of the detailed Business Case, which had been independently reviewed and verified.

The Leader explained that the proposals were the result of many months of hard work, and sought to secure significant financial savings whilst protecting front-line services. The proposals represented a natural progression for the Council, building on what was an excellent track record of efficiency savings; and sought to address year-on-year reductions in central government funding. Savings of approximately £35 million over a 10-year period across the four authorities were considered to be achievable.

The arrangements would enable each council to retain its independence and decision-making, which was considered critical for local people and communities and would enable their needs to be addressed.

The proposals were based on robust assumptions, and significant government funding had been received to help deliver programme, which was an indication of faith in the proposal, support of the principles, and a hope that others would follow.

The Leader also pointed out that, in addition to significant financial savings, further benefits of shared services included access to greater capacity and increased service resilience.

Each partner council would consider the report through its formal processes by the end of October. It was recognised that there remained a possibility of not all councils agreeing to the recommendations within the report. In this connection, the Leader expressed the hope that all four partners would commit to the programme moving forward but reiterated that the business case remained positive with three partners, with significant savings capable of being achieved.

The Leader concluded by congratulating Officers on the huge amount of work that had been undertaken in putting together the proposals. He commended the recommendations to the Council; and his Proposition was duly Seconded.

Councillor JA Harris, as Leader of the Liberal Democrat Group, stated that his Group would be supporting the proposals, and welcomed measures that promoted working together and saving money. He stated that previous, and on-going, work with West Oxfordshire District Council had demonstrated that joint initiatives could work well. However, whilst supporting the principle there were some concerns, namely that (i) a scheme of this nature should not just look to preserve services but improve/enhance them; (ii) sharing services/outsourcing could lead to a poor service/end product, e.g. proposals relating to the South West Ambulance Service Trust and Gloucestershire

Highways have led to services being really stretched and suffering, and he hoped that this would not occur; (iii) in terms of democratic accountability, he felt that it was important that the Joint Committee was scrutinised not just by members of the administration but by opposition members and back-benchers as well, and that membership of the Board was not just from one political party but would comprise cross-party representation; (iv) Service Level Agreements should be effective enough to deal with poor performance; and (v) a potential dilution of local knowledge.

The proposed way forward was welcomed and supported by all Members. Some Members saw the proposals as a positive move away from outsourcing/competitive tendering, which was often seen as a means of driving down salaries/terms of conditions/pensions. There was confidence for the future based on the Council's previous track record of shared working; and it was considered that the suggested way forward represented a key method to help maintain and improve service delivery, particularly in the light of inevitable reduced central funding.

Other Members drew attention to the robust analysis and documentation; the fact that the project would better enable the protection of front-line services; the paradigm of the project was to ensure retention of local knowledge; increased resilience would benefit services, and lead to more strength in-depth; and the fact that the cost savings were significant. The need for transparency and inclusiveness was stressed.

In response to various questions, the Leader and/or Chief Executive provided the following information:-

- each council would have own scrutiny as it saw fit;
- Ubico was an example of a teckal company, whereby savings over costs were returned to shareholders, and there was an ability to trade;
- other authorities could join - for many it might well be a case of them seeing how/that 2020 would work and efficiencies were delivered without a democratic deficit;
- the outcome of devolution might impact on the timing of non-Gloucestershire authorities wishing to join;
- there was in-built flexibility, but clear ground rules/core principles about how additional partners could come on board;
- the Freedom of Information provisions would apply to the partnership;
- officers would seek to address concerns/risks and add value to all councils across the partnership;
- the Chief Executive was part of a national network through the LGA, and was leading on some HR issues, particularly regarding a package of terms and conditions (not all financial) to ensure that the partnership could recruit and retain excellent staff;
- the service design template provided for local teams, with the savings being from generic rather than geographic, with a balance between standardisation and unique service provision;
- officers were not overly sure that a trading market existed, so this would be looked at rather than factored in, to ensure a pragmatic approach;

- the savings to be accrued by each partner were dependent upon the level of shared services to which each was prepared to commit, i.e. the greater the level of sharing then the greater the financial benefit.

RESOLVED that the Council:

- (a) enters into the Shared Services Partnership Structure described in Appendix A to Annex A to the circulated report;**
- (b) determines an appropriate consequential revised Senior Management Structure for the Council (prior to establishment of the Joint Committee);**
- (c) adopts the Commissioning Strategy given at Appendix B to Annex A to the circulated report;**
- (d) approves the Business Case shown at Appendix C to Annex A to the circulated report;**
- (e) notes the financial implications, costs and benefits shown in Section 13 of Annex A to the circulated report;**
- (f) agrees to the establishment of the 2020 Vision Joint Committee in accordance with Sections 101 and 102 of the Local Government Act 1972, Section 9EB of the Local Government Act 2000 and the Local Authorities (Arrangement for the Discharge of Functions)(England) Regulations 2012, with draft Constitution as given in Appendix D to Annex A to the circulated report;**
- (g) delegates authority to the Strategic Director (Corporate Resources), in consultation with the Leader, the Section 151 Officer and the Monitoring Officer to finalise and complete the Inter Authority Agreement (including the Constitution) and other documentation on terms to be approved by the Joint Head of Legal and Property Services and to take all necessary steps to create the 2020 Vision Joint Committee by April 2016;**
- (h) agrees that the existing Member Governance Board arrangements will continue until the 2020 Vision Joint Committee is created;**
- (i) upon the establishment of the 2020 Vision Joint Committee:**
 - (i) to authorise the delegation to the 2020 Vision Joint Committee of this Council's functions as described in the Constitution for the 2020 Vision Joint Committee;**
 - (ii) to agree to appoint Forest of Dean District Council as Administering Authority to provide administration support to the Joint Committee;**
 - (iii) to agree to appoint Cotswold District Council as the Accountable Body to provide financial support to the Joint Committee and enter into any contracts required on behalf of the Joint Committee;**

(iv) to agree to appoint the following Councils for the following functions of the Joint Committee:

Forest of Dean - Monitoring Officer
Cotswold - S151 Finance Officer
Forest of Dean - Clerk to the Joint Committee; and

(v) to agree to appoint the Leader and the Cabinet Member for Enterprise and Partnerships as this Council's representatives to the 2020 Vision Joint Committee;

(j) confirms the appointment of David Neudegg as the Partnership Managing Director;

(k) pursuant to Section 113 of the Local Government Act 1972, makes available to the Joint Committee such staff as are required by the Joint Committee to fulfil the functions delegated to it;

(l) receives a report and business case during 2016 on the establishment of a local authority company for the delivery of the functions of the 2020 Partnership, or alternatively the continuation of the Joint Committee;

(m) delegates authority to the Head of Democratic Services to make any consequential amendments to the Council's Constitution.

Record of Voting - for 31, against 0, abstentions 0, absent 3.

CL.21 ANNUAL TREASURY MANAGEMENT REVIEW 2014/15 INCLUDING PERFORMANCE AGAINST PRUDENTIAL INDICATORS

The Chairman of the Audit Committee introduced this item, and requested that the Council consider and approve the Treasury Management Annual Report 2014/15 and associated updated Prudential Indicators. It was explained that the documents had the unanimous support of the Audit Committee.

The Chairman of the Committee drew particular attention to the prudent provision made within the 2014/15 accounts to cover potential exchange rate losses, taxation or discounted costs associated with the repatriation of the Council's previous investment in the Icelandic Bank Glitnir; and stated that recent media coverage relating to the need to write-off such investments did not apply to local authorities.

RESOLVED that the Treasury Management Annual Report 2014/15, and the associated updated Prudential Indicators, be approved.

Record of Voting - for 31, against 0, abstentions 0, absent 3.

CL.22 APPOINTMENT OF HONORARY ALDERMEN

The Council was invited to consider the appointment of Honorary Aldermen. In this connection, the Head of Democratic Services had circulated a report

which set out the points system currently used to guide such appointments and details of those former Members who, by virtue of such system, should be considered automatically for the position.

It was noted that, notwithstanding the points system, the Council had not ruled out, in exceptional circumstances, appointing as Honorary Aldermen individuals who might not have accrued the necessary points but had otherwise rendered eminent service to the Council as past Members.

The Leader of the Council referred to the twelve former Councillors who, under the current points system, would be eligible for appointment as Honorary Aldermen, and explained that, given their number, he would refer to those former Members' achievements at the subsequent Special Council Meeting, when it was hoped that the individuals would be present.

Some Members felt that, exceptionally, the title should also be bestowed on former Councillors Mrs. VB Crosbie Dawson, Mrs. M Phillips and Mrs. MS Rickman, given their service to the Council and District over a significant period of time. It was also pointed out that some former Members would find it difficult to achieve the necessary points total for automatic award, particularly those who did not assume any Chairman, Cabinet position etc. Other Members, however, felt that the Council should abide by its previously-agreed scheme, albeit that the contribution of those other former Members was not in question.

In response to a question, it was confirmed that the Council had amended its scheme from time to time, to reflect changing Member structures. One of the newly-elected Members also pointed out that it was difficult for someone who was new to the Council to be able to support an award for a former Member who had not secured the necessary points.

An AMENDMENT was duly Proposed and Seconded that, exceptionally, former Councillors Mrs. VB Crosbie Dawson, Mrs. M Phillips and Mrs. MS Rickman be proposed for the title of Honorary Alderman. Upon being put to the vote, the AMENDMENT was LOST, with the record of voting being - for 7, against 15, abstentions 9, absent 3.

RESOLVED that:

(a) former Councillors Clive Bennett; JGK Birch; DC Broad; John Burgess; Sandra Carter; BD Gibbs; Sir Edward Horsfall; Mrs. Sheila Jeffery; DJ Nash; Mrs. Carolyn Nicolle; David Penman; and Mrs. CH Tople be proposed for the title of Honorary Alderman;

(b) a Special Meeting of the Council be held on Tuesday 15th December 2015 (at the conclusion of the ordinary Council Meeting scheduled on that date) to bestow the title on the former Councillors identified at resolution (a) above.

Record of Voting - for 30, against 0, abstentions 1, absent 3.

CL.23 THE LOCAL AUTHORITIES (STANDING ORDERS) (ENGLAND) (AMENDMENT) REGULATIONS 2015 - DISMISSAL OF STATUTORY OFFICERS

The Council was requested to approve revised Constitutional provisions in order to comply with new legal obligations dealing with the dismissal of statutory officers for alleged misconduct; together with related procedural matters. The circulated report of the Head of Democratic Services set out the background to the required changes.

RESOLVED that:

(a) the Head of Democratic Services be authorised to include the provisions set out in Appendix A to the circulated report, or provisions to the like effect, into the Officer Employment Procedure Rules in Part D8 of the Council's Constitution;

(b) whenever necessary, the Head of Democratic Services be authorised to appoint the Panel and convene meetings of it;

(c) the Head of Democratic Services be authorised to make any consequential amendments to the Constitution as necessary to reflect the requirements contained in the Local Authorities (Standing Order) (England) (Amendment) Regulations 2015, and associated procedures.

Record of Voting - for 30, against 0, abstentions 1, absent 3.

CL.24 MEMBERSHIP OF LICENSING SUB-COMMITTEES

The Council was invited to consider membership arrangements in relation to the current Licensing Sub-Committees, arising out of a suggestion made by some Members in an attempt to (i) increase the 'pool' of councillors from which membership of one of the sub-committees could be drawn; (ii) reduce the burden on the members of the current combined Planning and Licensing Committee; and (iii) take advantage of current experience and expertise.

In presenting the report, the Head of Democratic Services acknowledged that a number of other Members had expressed a desire to retain the current arrangements.

Given the conflicting views, and the fact that the changes would not significantly benefit current operational arrangements, it was Proposed, Seconded and

RESOLVED that the item be withdrawn for the time being.

Record of Voting - for 31, against 0, abstentions 0, absent 3.

CL.25 COMMUNITY GOVERNANCE REVIEW - DE-WARDING OF PARISHES

The Council was requested to consider undertaking a further Community Governance Review in relation to the de-warding of parishes where such arrangements had been imposed as a direct result of the District Electoral Review.

The circulated report of the Head of Democratic Services set out the relevant background information; the requests received; the processes to be followed, including consultation; and review considerations and criteria. In updating the report, the Head of Democratic Services confirmed that further formal requests had now been received in relation to Tetbury and Moreton-in-Marsh.

In response to questions, the Head of Democratic Services reiterated the rationale behind the review requests, as advanced by the local councils - particularly to better reflect community areas by removing the more artificial divides imposed for parish purposes and parish elections; and that these reviews, if approved, would be combined with the review previously agreed in relation to the number of councillors to represent Cirencester Town Council.

It was also stressed that such a review would not affect the District Councillor arrangements for any parish - with the affected parishes still being warded for District (election) purposes.

RESOLVED that the Council agrees to undertake a further Community Governance Review, specifically in relation to any parish where the relevant council applies to remove its local (but not District) warding arrangements.

Record of Voting - for 30, against 0, abstentions 1, absent 3.

CL.26 ANY OTHER ISSUES ARISING FROM THE CABINET

There were no other issues arising from the Cabinet.

CL.27 ISSUES/REPORTS ARISING FROM AUDIT AND SCRUTINY

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

CL.28 NOTICE OF MOTION

In accordance with Council Procedure Rule 12, the following Motion (No. 3/2015) had been Proposed by Councillor JA Harris and Seconded by Councillor Jenny Forde:

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

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

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

Council therefore resolves to set up a working group to review how Cotswold District Council and its partners can assist Gloucestershire

Highways in delivering a quality service in the area, particularly in respect to more minor issues concerning civic pride.'

The Chairman of the Council stated that, in accordance with Council Procedure Rule 12, once Proposed and Seconded, the Motion would stand referred to the Cabinet for consideration.

In Proposing the Motion, Councillor Harris stated that, particularly in his role as a county councillor, he received a lot of complaints relating to minor highways issues, such as weeds, dirty street signs, blocked channels, and overhanging vegetation. Whilst the County Council sought to maintain the road network with limited resources, this often meant that the minor highways issues were not addressed.

Councillor Harris referred to the excellent response from local communities to improve the situation, and initiatives from various town/parish councils. In addition, the Council benefitted from an excellent 'asset' in the form of Ubico, who already undertook certain smaller-scale highways works.

Councillor Harris believed that the Council should assess what local communities/councils were doing, and what this Council was doing or could do, in an attempt to improve work with partners and ease the burden on Highways in relation to smaller issues concerning civic pride.

Councillor Jenny Forde formally Seconded the Motion.

At this juncture, the Motion stood referred to the Cabinet for consideration, it being noted that the Proposer and Secunder would be invited to present the Motion to the Cabinet in due course.

CL.29 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 31, against 0, abstentions 0, absent 3.

The Meeting commenced at 10.00 a.m. and closed at 11.46 a.m.

Chairman

(END)