

COTSWOLD DISTRICT COUNCIL

COUNCIL MEETING

15TH DECEMBER 2015

Present:

| | |
|----------------------------|---------------------------|
| Councillor Mark F Annett | - Chairman |
| Councillors - | |
| SI Andrews | Maggie Heaven |
| Miss AML Beccle | Jenny Hincks |
| AW Berry | RL Hughes |
| AR Brassington | Mrs. SL Jepson |
| T Cheung | RG Keeling |
| Sue Coakley | Juliet Layton |
| Alison Coggins | MGE MacKenzie-Charrington |
| PCB Coleman | NJW Parsons |
| BS Dare (from 10.05 a.m.) | SDE Parsons |
| RW Dutton | NP Robbins |
| Jenny Forde | Tina Stevenson |
| David Fowles | Lynden Stowe |
| C Hancock | R Theodoulou |
| JA Harris | LR Wilkins |
| M Harris (from 11.00 a.m.) | |

Apologies:

| | |
|--------------|-------------|
| Julian Beale | RC Hughes |
| SG Hirst | Jim Parsons |

CL.30 DECLARATIONS OF INTEREST

(1) Declarations by Members

There were no declarations of interest by Members.

(2) Declarations by Officers

There were no declarations of interest by Officers.

CL.31 MINUTES

RESOLVED that, subject to the deletion of the words ‘it was important that the Joint Committee was scrutinised not just by opposition members but by back-benchers’ and their replacement by the words ‘it was important that the Joint Committee was scrutinised not just by members of the administration’ in point (iii) of the part-paragraph at the top of page 34 (Minute CL.20 refers), the Minutes of the Meeting of the Council held on 29th September 2015 be approved as a correct record.

Record of Voting - for 27, against 0, abstentions 1, absent 6.**CL.32 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) Motions - the Chairman explained that, as previously advised to Members, he had decided that, once formally Proposed and Seconded, Motion 4/2015 would stand referred to the Cabinet for consideration; but that the other two Motions would be debated at the Meeting.

(iii) Special Council Meeting - the Chairman reminded Members that, at the conclusion of the Ordinary Meeting, there would be the Special Council Meeting regarding new Honorary Aldermen, and that formal proceedings would be followed by the traditional Members' Christmas Lunch, to which Honorary Alderman current and proposed had been invited.

CL.33 PUBLIC QUESTIONS

No public questions had been received.

CL.34 MEMBER QUESTIONS

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

(1) From Councillor Jenny Forde to Councillor Sue Coakley, Cabinet Member for Health, Environment and Communities

'In 2014, former District Councillor Paul Hodgkinson presented a motion to this Council calling for primary schools waste in the Cotswolds to be collected by this Council.

This move would significantly help small schools who currently pay for this service themselves. This was a call that I fully supported and continue to do so. What is the current situation with regard to this call?'

Response from Councillor Coakley

'As previously reported, waste produced by schools is classed as Commercial Waste or non-domestic household waste, depending on how it is generated, and is not collected by the District Council. The District Council would not want to make these collections and incur costs that are the responsibility of the schools, who receive funding from the County Council, which includes funding for waste collections.

The County Council, supported by the Joint Waste Team, let a contract for the collection of food waste from Schools, which commenced in September 2015. Procurement of a contract for residual waste and recycling will commence in January, with the County Council, again supported by the Joint Waste Team,

seeking to secure efficient value for money waste collections for schools. This joint procurement provides for value for money, affordable waste collections for schools whilst ensuring those services are paid for using funding already allocated by the County Council to Schools for that purpose.'

Councillor Forde provided Members with some further background to this issue and explained that a survey undertaken had indicated that at least 44 schools would be interested in using the CDC service. She emphasised that the schools did not have a dedicated budget for waste collection and, therefore, any savings that could be made could then be re-invested in teaching and education. Councillor Forde suggested that the District Council could also benefit financially from increased recycling material. By way of a supplementary question, Councillor Forde asked for confirmation that the option had been fully explored, particularly against the potential educational and financial benefits.

In response, the Cabinet Member explained that existing resources were fully utilised, both in terms of vehicles and operatives; and that this would continue to be the case following a re-optimisation of routes etc. to reflect additional service pressures and requirements as a result of new properties across the District. Accordingly, additional service provision to schools would require further vehicles and operatives, at a cost to the District Council. The Cabinet Member acknowledged that the funding was not ring-fenced within the schools, but confirmed that when the matter had been considered previously it was the view of the Joint Waste Team and others that the service should continue to be provided by the County Council given its legal obligations and in terms of the economies of scale that it could achieved. It was not considered appropriate for the District Council and its taxpayers to incur costs that were the responsibility of the County Council.

(2) From Councillor AR Brassington to Councillor Lynden Stowe, Leader of the Council

'Is the Leader aware of the on-going issue of noise pollution for many Cotswold residents living near to the A417/419 and the campaign to solve this problem which has been undertaken by the A419 NAG (Noise Action Group) of which I am an active member? What is his administration's view of this issue?'

Response from Councillor Stowe

'I am aware of what is another long-running highways saga. Indeed, I recall a Motion put forward by former colleagues Sir Edward Horsfall and Clive Bennett as far back as in November 2005 on this issue, as follows:-

'This Council calls on the Highways Agency to honour the commitment made by the Government that all concrete road surfaces would be re-surfaced by 31st March 2011.

In June of this year (2005), the Highways Agency confirmed that the A419 Cirencester to Latton bypass was included in the first phase of works to make concrete roads quieter, with the work on the A419 scheduled for completion in 2006/2007.

In July (2005), the Highways Agency made a complete u-turn and said that no works were planned for the A419 Cirencester to Latton bypass until 2013 and even then it was not scheduled for resurfacing.

Residents living up to a mile from the concrete highway are subjected to a constant drone as the tyres on thousands of vehicles pound the surface. This noise abuse will increase as the number of vehicles using the road increases over the next decade.

This Council is prepared to take action to alleviate other intrusive noises, so should throw its weight behind residents and parish councils who have already objected to the Highways Agency about the change in dates for the resurfacing work.'

The Council resolved, without opposition, to call on the Highways Agency to honour the commitment made by the Government that all concrete road surfaces would be re-surfaced by 31st March 2011 and, in particular, to register the strongest possible objection to the change in dates for the resurfacing work originally planned for the Cirencester to Latton Bypass.

Our representations to the Highways Agency were copied to the Secretary of State for Transport; the Minister of State for Transport; our local Member of Parliament; the Highways Maintenance Manager of the Gloucestershire County Council, as local highways authority; and affected Town/Parish Councils/Meetings.

Unfortunately, our representations were not successful in that, as Councillor Brassington is more than aware, the works have neither been undertaken nor committed.

I am also aware of the continuing campaigning being undertaken by the A419 NAG - including the report produced on 'The Social Consequences of Road Noise' - and commend that work. My views, and that of the administration, remain as stated back in 2005; and we would be more than happy to support further initiatives and/or lobbying to try and expedite this work - including a joint Motion to the next Council Meeting in an attempt to reiterate this Council's unified support.'

Councillor Brassington referred to an important meeting that would take place on 29th January 2016 between Noise Action Group representatives and the two local MPs, and asked if a representative of CDC, preferably a Cabinet Member, could attend.

In response, the Leader confirmed that he would discuss such request with Cabinet colleagues over the coming days, and revert to Councillor Brassington. He also reminded Councillor Brassington of the offer to support a joint Motion on the matter.

(3) From Councillor PCB Coleman to Councillor Sue Coakley, Cabinet Member for Health, Environment and Communities

'Could the Cabinet Member please reveal what the original (2011/12) costs of the waste depot/transfer project were?'

Response from Councillor Coakley

'The initial budget allocation agreed by the Council in February 2012 was for £1,400,000 - this amount comprised estimated sums for site purchase and site development, and was accepted by the Council as a 'marker' as it preceded any detailed work on procuring a permanent depot. Having identified three

potential sites, the Council agreed a further budget allocation in September 2013 of £1,029,000, which also had regard to the costs associated with the required temporary depot facility.'

Councillor Coleman commented on the fact that full costs were not known at the outset and, by way of a supplementary question, asked whether any further large lump sum would be required.

In response, the Cabinet Member reiterated that the initial budget allocation had only been a marker, given that the Council had not previously pursued a similar project. She also confirmed that she did not envisage that any further large lump sum would be required, but stated that there might be some additional smaller costs.

(4) From Councillor Juliet Layton to Councillor Sue Coakley, Cabinet Member for Health, Environment and Communities

'How do the Council intend to progress the waste transfer station option at the acquired site and, if progress is intended, will Eunomia be involved in the process?'

Response from Councillor Coakley

'There is no intention to progress this at this time.'

Councillor Layton stated that, given the significant local opposition to the depot and waste transfer station proposals and the impacts that such operations would have, she felt that the village deserved a simple, guaranteed answer, yes or no. This formed the basis of her supplementary question.

In response, the Cabinet Member reiterated that the consistent response to the question had been that there was no intention to pursue the waste transfer station proposal at this time, but that she could not state categorically that a waste transfer station proposal would never be re-visited; and confirmed that any future consultancy work would be subject to relevant tendering/procurement processes, although she could not speculate as to who any successful tenderer might be.

(5) From Councillor Juliet Layton to Councillor Sue Coakley, Cabinet Member for Health, Environment and Communities

'Papers presented by Officers to the Overview and Scrutiny Committee on 1st December 2015 show that, over the period March 2013 to April 2015, the Council paid £185,000 to its consultant Eunomia for the development of a waste transfer and transport depot facility. Financial payment figures on the Council Website show that Eunomia were also paid £82,000 in the period December 2011 to July 2012 for the earlier alternative site assessment phase of the study, making the total payment to Eunomia £267,000 since the studies began in October 2011. I am deeply concerned that papers to the Overview and Scrutiny Committee show that none of this work was completed under competitive tender and that procurement rules were waived on work undertaken by Eunomia in December 2009, May 2013, and September 2013 with a non-competitive proposal accepted under delegated authority in October 2011. Could the Cabinet Member please set out the detail of how

and when these waivers in procurement rules and appointment under delegated authority were reported to the Council?’

Response from Councillor Coakley

‘The specific waivers were dealt with as follows:-

- (i) December 2009 - the waiver was a decision of the Cabinet;*
- (ii) May 2013 - the waiver was approved by the Chief Finance Officer and the Head of Legal Property Services, following consideration of a detailed submission/justification - such an approach was permitted within the Procedure Rules (a document approved by the Council), and no formal reporting to Members was required under such Rules;*
- (iii) September 2013 - the waiver was a decision of full Council.*

With reference to the work authorised in October 2011, this was an element of the work previously reported to the Cabinet in June 2011, which referred to the commissioning of Eunomia.

I would also make the following, more general, comments:-

(i) Terms of Reference were drawn up for the work to be undertaken by Eunomia, including the scope of work and key requirements/deliverables. Progress was then monitored and reviewed at meetings/teleconferences. Payments were made on a staged approach, upon completion of various work elements (and based on purchase orders).

(ii) The use of one firm of consultants throughout the process provided for consistency of approach and, as the project moved forward, a greater level of understanding of the Council’s requirements. Eunomia also had an excellent knowledge of the local area and, specifically, of the Waste and Cleansing operations delivered by the Council; and therefore the needs of that service, having worked with the Council for some time. The continued use of Eunomia also avoided duplication of some elements of work, which might have resulted had a second consultant been employed.

Finally, I would remind Members that the work for which Eunomia were originally commissioned - in setting up Ubico (which led to the depot acquisition) - will have, by the end of this financial year, saved Cotswold taxpayers in excess of £3m over a three and a half year period.’

Councillor Layton stated that it was important not to confuse the work undertaken by Eunomia in respect of the establishment of Ubico with that undertaken in respect of the site selection process. She did not doubt the effectiveness of the former but questioned the expertise of the company to carry out the spatial planning study. By way of a supplementary question, Councillor Layton asked whether the terms of reference could be appended to the Council Minutes so that Councillors could make up their own minds as to whether there had been effective management and whether value for money had been achieved.

In response, the Cabinet Member confirmed that, subject to checking with Officers, she saw no reason why the terms of reference for the work undertaken by Eunomia could not be made public in some way, and made available to all Members.

(6) From Councillor NP Robbins to Councillor Sue Coakley, Cabinet Member for Health, Environment and Communities

'In the last Council, the Liberal Democrat group pushed for greater provision of recycling in the District. One such scheme was the implementation of kerbside Tetra Pak recycling - what plans do CDC have to implement such a scheme?'

Response from Councillor Coakley

'There is now a UK processor for recycling cartons (tetrapak is a brand name and there are two other major brands) but they require separately-sorted material. If cartons are placed in with other cardboard, they are regarded as a contaminant as they are a composite of other materials such as plastic closures, waxy coatings and aluminium. They would affect the value of the material and they may not be processed.

The main barrier to collecting cartons separately is the physical limits on vehicle compartmentalisation/capacity. The current fleet does not have capacity for extra containment. Whenever new materials are added, there would also be an effect on the time taken by crews to collect and sort materials onto the vehicle from each property. Although this is small on a box-by-box basis, it would aggregate over each round across the whole District and could require redesign of rounds and, possibly, extra vehicles.

These issues were previously evaluated when the Cabinet considered a Motion, in December 2014, regarding the collection of tetrapaks. At that time, the Cabinet considered the kerbside collection of tetra packs to be an expensive option as it could have cost up to £100,000 to achieve a 0.1% increase in recycling rates - even if a higher than average collection rate could be achieved.

The best time to review the range of materials collected is at the time recycling vehicles are replaced - next due in 2019. The Joint Waste Team and Ubico will review the service specification prior to replacing the current vehicles in order for CDC to consider the options. Whilst kerbside collection is not currently viable, we are extending the provision of bring banks for the collection of cartons to increase the recycling of this material.

Members are reminded that Cotswold remains one of the highest performing Recycling Authorities in the UK.'

Councillor Robbins expressed disappointment at what appeared to be a delay in securing improved recycling across the District, despite the administration's election pledge to do so. By way of a supplementary question, he asked what effects the Gloucestershire Incinerator was likely to have on recycling rates.

In response, the Cabinet Member reiterated the rationale behind the timing of the review of materials to be collected; explained that waste to landfill had reduced; food waste collections had increased by 20%; and that a review of bring-banks would see a reduction in the number of glass banks (given that glass was collected from the kerbside) and the use of the available space for textiles and cartons. The Cabinet Member expressed the view that, in her opinion, the incinerator proposal would actually increase recycling rates.

(7) From Councillor PCB Coleman to Councillor NJW Parsons, Deputy Leader of the Council and Cabinet Member for Forward Planning

'When will responses to January's Regulation 18 consultation be revealed?

Response from Councillor Parsons

'It is important to appreciate that the two Reg.18 consultations have dealt with separate parts of the emerging Local Plan. Responses to representations on the first Reg.18 consultation (Development Strategy and Site Allocations) will not have a direct effect on the second Reg.18 consultation (Planning Policies). They could, however, potentially affect the next stage of the process. Therefore, a summary of the main issues arising from representations on both Reg. 18 consultations - and any changes resulting for the Reg. 19 whole Local Plan - will be made available prior to publication of that document in spring 2016. The actual changes made will be manifest in the Reg.19 consultation document. In the meantime, all representations received to date can be viewed on the Council's Website. In order to manage expectations, it is important to note the requirements of Regulation 22 of the Town & Country Planning Regulations 2012 as follows:

"Submission of documents and information to the Secretary of State

22. (1) *The documents prescribed for the purposes of section 20(3) of the Act are -*

- ...(c) a statement setting out -*
- (i) which bodies and persons the local planning authority invited to make representations under regulation 18,*
- (ii) how those bodies and persons were invited to make representations under regulation 18,*
- (iii) **a summary of the main issues raised by the representations made pursuant to regulation 18,***
- (iv) **how any representations made pursuant to regulation 18 have been taken into account; ..."***

The Regulations do not require local planning authorities to respond to every representation received. Rather, it is necessary to summarise the main issues raised and consider how these have been taken into account in the emerging plan.

Councillor Coleman's question has already been addressed in both the Cotswold News and the latest Local Plan Reg. 18 consultation.'

Councillor Coleman expressed his deep regret and disappointment at the fact that the Council had not responded to the replies received to the Regulation 18 consultation which, for many individuals and organisations, would have been the subject of significant time and effort. By way of a supplementary question, he asked whether the Council would apologise for not having done so, and address the situation by sending out replies.

In response, the Cabinet Member reiterated that the Local Plan process was governed by regulation and legislation, and that the consultation had been conducted

in accordance with the relevant requirements. He also reminded Members that a summary of the main issues arising from the Regulation 18 consultations would be made available in connection with the Regulation 19 work.

(8) From Councillor JA Harris to Councillor NJW Parsons, Deputy Leader of the Council and Cabinet Member for Forward Planning

'The Cotswolds continues to have no local plan - how sure is the Cabinet Member that Cotswold won't have one imposed by central government?'

Response from Councillor Parsons

'The process for producing a Local Plan is set down in legislation, and we have another stage to complete in that process after the current Reg.18 consultation. A vast amount of work - particularly evidence gathering - is required to ensure that a sound and legal Plan can be submitted for examination. If we attempted to submit the plan now, it would not be accepted by the Planning Inspectorate, which would set the process back further. There are numerous examples of councils that have had to withdraw plans that have been submitted for examination prematurely, e.g. Ashfield, Bolsover, Bury, Runnymede, Uttlesford.

We will continue with the programme as set out in the Local Development Scheme, which was approved by Cabinet in June 2015. There is a robust project plan in place to ensure that we remain on track to publish a complete version of the Plan for final consultation in spring 2016. Submission of the draft plan to the Planning Inspectorate will follow in autumn 2016.

As an aside, it is worth noting that the number of adopted NPPF-compliant (whole) Local Plans in England (out of over 300 local authority areas) can be counted on the fingers of two hands. A whole local plan is one that has a development strategy, site allocations to deliver the strategy, and a full suite of policies to deliver the plan's objectives. Our interrogation of the Planning Inspectorate's records reveal that the vast majority of approved 'local plans' are just Core Strategies without site allocations and/or development management policies.'

Councillor Harris referred to figures on the '.gov.uk' website which indicated that 82% of councils had published local plans, and 65% had adopted plans; with around 20% of authorities being in a position of not having plans, including Cotswold. He questioned the discrepancies between those figures and the ones provided by the Deputy Leader and asked whether clarification should be sought from the Government.

In response, the Deputy Leader reiterated the difference between adopted core strategies and adopted local plans, and his belief and understanding that the figures on the Website quoted by Councillor Harris related to core strategies, which did not incorporate a development strategy, site allocations and a full suite of policies. This Council had decided to seek to produce and submit a fully-compliant plan to the Government Inspector.

(9) From Councillor JA Harris to Councillor Lynden Stowe, Leader of the Council

'What criteria did you use to decide the preferred contractor for the new contract for cleaning public toilets?'

Response from Councillor Stowe

'This contract has been jointly procured, via a Framework Agreement, with West Oxfordshire District Council, Cherwell District Council, South Northamptonshire District Council, South Oxfordshire District Council, Vale of White Horse District Council, Stratford-on-Avon District Council, and relevant parish councils located in Oxfordshire.

The detailed evaluation was undertaken by a representative group of service managers supported by independent procurement advisors.

Turning to the process, all potential bidders were advised, prior to bidding, that all bids would be evaluated based on the following criteria. All of the following information was published in line with OJEU Procurement Rules, within the tender documentation:

| Section | Assessment |
|--|--|
| 1. <i>Supplier information</i> | <i>Not scored, for information only*</i> |
| 2. <i>Mandatory grounds for exclusion</i> | <i>Pass / Fail</i> |
| 3. <i>Discretionary grounds for exclusion</i> | <i>Pass / Fail</i> |
| 4. <i>Economic and financial standing</i> | <i>Pass / Fail</i> |
| 5.1 <i>Relevant experience and contract examples (1 preferably from the public sector)</i> | <i>Scored 100%</i> |
| 5.2 <i>Insurance</i> | <i>Pass / Fail</i> |
| 5.3 <i>Compliance with equality legislation</i> | <i>Pass / Fail</i> |
| 5.4 <i>Environmental management</i> | <i>Pass / Fail</i> |
| 5.5 <i>Health & Safety</i> | <i>Pass / Fail</i> |

If a bidder failed to satisfy basic requirements, then they failed and were not considered further.

Bidders were then assessed on the following criteria and weighting:

| Award criteria | Weighting |
|---|------------------|
| 1. <i>Details of fleet</i> | <i>2%</i> |
| 2. <i>Breakdown of staff resources</i> | <i>4%</i> |
| 3. <i>Meeting cleaning standards</i> | <i>5%</i> |
| 4. <i>Customer complaint management & rectification</i> | <i>4%</i> |
| 5. <i>Management of staff</i> | <i>2%</i> |

| | |
|--|------------------|
| 6. <i>Customer satisfaction improvement</i> | 2% |
| 7. <i>Contract mobilisation</i> | 2% |
| 8. <i>Contract roll out</i> | 2% |
| 9. <i>Change management</i> | 1% |
| 10. <i>Management of disruption</i> | 1% |
| 11. <i>Management & supervision</i> | 2% |
| 12. <i>Key performance indicators</i> | 2% |
| 13. <i>Health & safety management</i> | 5% |
| 14. <i>Sustainability & environmental management</i> | 4% |
| 15. <i>Adding value</i> | 2% |
| Qualitative total | 40% |
| Price | 60% |
| Award criteria | Weighting |

The scoring framework shown below was used to evaluate submissions:

| | |
|-----------------------------------|--|
| 0 Unacceptable | <i>Response is so incomplete that it is not possible to form a judgement</i> |
| 1 Poor | <i>Almost unacceptable, response is limited or inadequate or substantially irrelevant</i> |
| 2 Very weak | <i>Well below expectation, response only partially addresses the requirement, offers no explanation as to how the proposal meets a number of aspects of the requirement and gives major concerns about the potential reliability to meeting more than one aspect of the proposal</i> |
| 3 Weak | <i>Below expectation, response gives considerable reservations about the proposal meeting some or some of the requirements and gives rise to a number of concerns about the potential reliability to meeting more than one aspect of the proposal</i> |
| 4 Marginal | <i>Marginally below expectation, response gives some reservations about the proposal meeting some of the requirements and gives rise to a number of concerns about the potential reliability to meeting one aspect of the proposal</i> |
| 5 Meets expectations | <i>Acceptable, response mainly compliant, generally meets requirement except for minor aspects, limited reservation, satisfactory</i> |
| 6 Marginally exceeds expectations | <i>Satisfactory, response is considered acceptable, gives confidence as to reliability to meeting all key aspects of proposal, no reservations.</i> |
| 7 Good | <i>Exceeds expectations, good response which meets requirements, gives confidence that all aspects of proposal may be relied upon, describes how requirement will be met, no</i> |

| | |
|----------------------|---|
| | <i>reservations</i> |
| <i>8 Very good</i> | <i>Exceeds expectations, good robust response which meets requirements, gives confidence that all aspects of proposal may be relied upon with relevant examples/material, no reservations</i> |
| <i>9 Outstanding</i> | <i>Excellent response, exceeds expectations of the requirement and its objectives, gives high confidence that proposal may be relied upon without reservation</i> |
| <i>10 Excellent</i> | <i>Exemplary and innovative response, exceeds expectations of requirement and its objectives, gives high confidence that all key aspects of the proposal may be relied upon without reservation, offers added value that is relevant to requirement</i> |

Whilst evaluation against each of these criteria was subjective, evaluators had to be able to justify their scores, in case the decision to award the contract was challenged by other unsuccessful bidders. In the case of this procurement, each bidder was evaluated separately by each of the partner Councils and the scores were then aggregated to select the preferred contractor.

In the event, the officers from all partner Councils selected the same preferred contractor, who scored highest both on quality and price.

In reaching its decision, the Cabinet was satisfied with the robust evaluation process that had been undertaken, and supported the selection of the preferred contractor identified on cost and quality grounds.'

Councillor Harris stated that he had received a number of complaints regarding the poor standard of public conveniences in recent years, with the matter having been the subject of formal Member debate. He also referred to the fact that a Director of the current contractor was a member of another authority. In this connection, he emphasised the need for a thorough and rigorous process in the selection of the provider of the new contract and asked what steps the Leader would take to ensure that the process was fit-for-purpose.

In response, the Leader drew attention to the detailed and thorough process, under the OJEU rules, that he had identified in his original response; the fact that evaluation had been supported by independent advisors; and the fact that this had been a cross-authority tender at the end of which Officers from each authority had supported the appointment of the same contractor. He also reported that he had not been aware of numerous complaints, but asked Members to alert the service manager or Cabinet Member to any issues so that appropriate scrutiny and action could be undertaken.

CL.35 PETITIONS

No petitions had been received.

CL.36 GAMBLING ACT 2005 - REVIEW OF THE STATEMENT OF PRINCIPLES

The Council was requested to consider a revised Statement of Principles in relation to the provisions of the Gambling Act 2005.

The Cabinet Member explained that the Council had to review and approve a Statement of Principles every three years. The Statement was largely based on legislative requirements and statutory guidance.

The Chairman of the Planning and Licensing Committee confirmed that the proposed revised Statement had been considered by that Committee on 11th November 2015 and, having considered the relevant guidance and the outcome of the nine-week consultation carried out, the Committee had commended the reviewed document, without any further amendment, to the Council.

In response to a question, it was explained that the related licence fee was statutory. **RESOLVED that the reviewed Statement of Principles, attached at Appendix 'A' to the circulated report, be approved.**

Record of Voting - for 30, against 0, abstentions 0, absent 4.

CL.37 LICENSING ACT 2003 - REVIEW OF THE STATEMENT OF LICENSING POLICY

The Council was requested to consider a revised Statement of Licensing Policy relating to the provisions of the Licensing Act 2003.

The Cabinet Member explained that the Council had to review and approve a Statement of Licensing Policy under the Licensing Act 2003 every five years. The Statement was largely based on legislative requirements and statutory guidance.

The Chairman of the Planning and Licensing Committee confirmed that the proposed revised Statement had been considered by that Committee on 11th November 2015 and, having considered the relevant guidance and the outcome of the nine-week consultation carried out, the Committee had commended the reviewed document to the Council, subject to one further amendment. The recommended amendment was for the Council to require (rather than encourage) applicants for premises licences that provided regulated entertainment (or any other premises providing a licensable activity where occupant capacity might be a fire safety issue) to seek advice regarding safe occupancy levels from the Fire Safety Section of Gloucestershire Fire and Rescue Service.

It was confirmed that the recommended amendment had been reflected in paragraph 5.6 of the circulated document, on page 63 of the papers.

In response to questions, Officers explained that (i) applicants were required to address each of the four licensing objectives as part of their applications; (ii) applications were subject to formal consultation requirements; and (iii) a review of the application of the late night levy would be undertaken in 2016.

RESOLVED that the reviewed Statement of Licensing Policy commended by the Planning and Licensing Committee, attached at Appendix 'A' to the circulated report, be approved.

Record of Voting - for 30, against 0, abstentions 0, absent 4.

CL.38 ANY OTHER ISSUES ARISING FROM THE CABINET

There were no other issues arising from the Cabinet.

CL.39 ISSUES/REPORTS ARISING FROM AUDIT AND SCRUTINY

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

CL.40 MOTIONS ON NOTICE

In accordance with Council Procedure Rule 12, the following Motions had been received:-

- (i) Motion No. 4/2015 - Proposed Extension of Right to Buy Scheme - Proposed by Councillor JA Harris and Seconded by Councillor PCB Coleman

'This Council notes:

- the Government's proposal to extend the Right to Buy scheme to Housing Association tenants, to be paid for by a forced sell off of the most expensive Social Housing stock;
- with alarm, the shortage of affordable rented homes in the Cotswolds with over 1300 households on our Council's housing waiting list and is very concerned that the Housing and Planning Bill risks making matters worse;
- the LGA "First 100 Days" campaign which highlighted there are 1.7 million households on waiting lists for affordable housing across England and that more than 3.4 million adults between 20 and 34 live with their parents.

Council opposes the forced sell off of social rented housing to pay for this plan and is concerned that the Government also:

- fails to address the situation for many local authorities which no longer have any housing stock to sell as they have transferred theirs to housing associations;
- fails to address the situation in areas of high housing demand where there are often few suitable sites to build replacement social housing stock;
- fails to recognise that this means housing associations will simply be trying to catch up with replacing homes rather than building affordable housing to give more people homes they need.

Council recognises the desire by many to own their own homes, and suggests that a "Rent to Own" model and Shared Ownership housing would represent a better way of reaching this goal.

Council also regrets the following decisions of the Government that will reduce the amount of good quality social housing for rent to local families:

- the decision that 200,000 out of 275,000 "affordable homes" to be built in this parliament are to be for sale at a price of up to £250,000 and therefore only 75,000 will be built for rent - this means many local families will not be able afford these new "affordable homes".
- that a tax will be imposed by the Government on the rents of council tenants to fund discounts for housing association tenants who are rich enough to buy their properties - taxing families on the lowest incomes to fund discounts for people who may well be much better off.
- the cuts to section 106 payments from developers, which will see fewer social housing properties offered to local residents in new builds.

These actions will mean that there is less money for the provision of new social rented properties and less money available to provide services to tenants such as repairs, estate services, youth clubs or play centres that significantly improve the life of families.

Council resolves:

- (a) to work with other neighbouring authorities to oppose the current government proposals to force councils to sell off high value stock (or any equivalent charge based on estimates of high value stock);
- (b) to write to Geoffrey Clifton-Brown MP asking to support the Council's position; to speak up in parliament for more social housing and to push for a genuine "one for one" replacement, but not at the cost of losing more social housing.'

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. The Chairman explained that he acknowledged the importance of the Motion, but felt that a more informed view was required, particularly as there were still many unknowns - for example, some of the Government proposals were unconfirmed, such as the ring-fencing or exclusion of certain specialist properties; quite how market-discount proposals for first time buyers would work and be funded; and eligibility criteria for Right-to-Buy applicants. In addition, the Council was currently in the midst of the on-going Local Plan consultation, which included affordable housing.

In Proposing the Motion, Councillor Harris expressed the view that the District faced a housing crisis, given the high property prices and low average annual incomes. While welcoming the drive towards more home ownership, Councillor Harris commented that home ownership was out of the reach of a lot of people and he considered there to be a lack of social rented housing, which the Council could not afford to ignore. He stated that, while there were 1,300 people on the housing waiting list in the District, many more were in need of homes, and he commented that the Council's policy of seeking 50% affordable housing from developments, while commendable, did not go far enough. Councillor Harris contended that the Council should ensure that as much social housing as possible was provided.

Councillor Harris also believed that the Council should look to the provision of a variety of housing types, which would make housing genuinely accessible to all. He believed that the proposals in the current Planning and Housing Bill would exacerbate the problems, with housing associations being forced to sell off further stock without a realistic prospect of like-for-like replacement; and concluded by urging the Cabinet to send a clear message to the Government that, whilst home ownership should be encouraged, adequate provision should be made for those who could not afford to buy their own homes.

Councillor Coleman formally Seconded the Motion. In so doing, he reminded Members of the national targets in relation to house-building, and how these differed significantly from rates over previous years - and therefore the major challenge faced. Whilst a large percentage of people aspired to owning their own homes, he felt, regrettably, that this was not achievable in locations where house prices were high, in spite of initiatives such as 'Help to Buy'.

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

(ii) Motion No. 5/2015 - County Ambulance Service - Proposed by Councillor NP Robbins and Seconded by Councillor Juliet Layton

'Council notes that Gloucestershire County Council recently agreed the following motion:

This Council notes that on Wednesday 28 May 2014, a motion concerning ambulance response times was brought to this chamber and received unanimous cross-party support.

This Council is still increasingly concerned about the South Western Ambulance Service NHS Foundation Trust's (SWASFT) continued failure to meet their 75% target in responding to the most urgent calls within 8 minutes.

This Council acknowledges that the issue of ambulance performance is being monitored by both the Council's Health and Care Scrutiny Committee (HOSC) and the South Western Ambulance Service Joint Health Overview and Scrutiny Committee, but wants to see once again significant improvement in the response times in those districts that are failing to reach the 75% target.

This Council therefore asks both the Leader and the Chief Executive to write to the CEO of SWASFT noting the letter written back in May 2014 and asking for specific actions which will take place so that response times are significantly improved especially in the following four districts - Forest of Dean, the Cotswolds, Tewkesbury and Stroud.

This Council also requests that the Health and Care Overview and Scrutiny Committee explores the option of creating a county-wide ambulance service rather than a regional one, with recommendations produced for full Council to debate.

Council further notes the unanimous cross-party support the motion received.

Council resolves to fully support the exploration of creating a County Ambulance Service and requests that, once recommendations are made by the Health and Care Overview and Scrutiny Committee, they are brought before this Council for discussion.

Council further instructs the Chief Executive, Leader of Council and Leader of the opposition to jointly write to the CEO of SWASFT outlining the Council's cross-party concern at their poor performance on response times across the Cotswolds and asking for specific action points to how they plan to improve the situation.'

The Chairman referred to his decision to allow the Motion to be debated at the Meeting, and invited Councillors Robbins and Layton to formally propose, second and speak to their Motion.

In Proposing the Motion, Councillor Robbins stated that although the issue of ambulance response times had previously been debated by both this Council and

the County Council, nothing had happened since then to increase confidence in the level of service provision, neither in the County nor, particularly, in the District. In support of this contention, he produced statistics for the three national performance indicators - Red 1, being most critical calls, with a target response time of 8 minutes across 75% of calls; Red 2, being the next level of calls (possibly life-threatening cases), with a target response time of 8 minutes across 75% of calls; and A19 with a target response time of 19 minutes for 95% of all other emergency calls - based on regional, county and district performance. The figures demonstrated that performance was poor across all levels; and that the Cotswold District was subject to the worst performance throughout Gloucestershire and the northern part of the South West Region, even when compared to the more rural areas. He believed that the Trust should be requested to provide an action plan as to how it intended to improve performance; and that, if this was not forthcoming, alternative provision should be explored.

Councillor Juliet Layton Seconded the Motion. In so doing, Councillor Layton drew attention to some specific cases in the Cotswolds where response times had been poor, with some times up to two hours. She also explained that delayed attendance often led to increased care requirements in the longer term. She concluded by expressing the view that people deserved a service that was fit-for-purpose, and in which they had confidence. For this reason, she welcomed the suggestion of a county service.

The matter was then opened up for debate by the Council, and there was unanimous support for the Motion.

Whilst concerns were raised about service response times, a number of Members wished to make it clear that they and others had confidence in, and respect for, the people 'on the ground', namely ambulance staff and first responders. Indeed, it was understood that many staff were equally frustrated with the shortcomings of the service.

Reference was made to the undertaking previously given by the Trust to station an ambulance in the north of the District. In the event, the ambulance had been located in Cirencester and had therefore provided no tangible evidence as to the feasibility of the proposed new measure. This lack of local knowledge put into question the Trust's leadership and management capabilities.

The view was expressed that leadership should be local, and Members were therefore supportive of the exploration of a county service, particularly having regard to the devolution agenda whereby many key services operated on county boundaries. While such a solution might not prove feasible, the feeling amongst Members was that residents had the right for the local option to be investigated.

There was agreement that all response types needed to be addressed. Common support for improvements was critical if a fundamental review was to be considered by the Trust, as opposed to what were often considered to be superficial measures.

It was also pointed out that poor performance on the part of the ambulance service could also impact on the other emergency/first response services, both in cost and direct service provision.

At the end of the debate, Councillor Robbins, as Proposer of the Motion, was afforded the right to respond. In so doing, he thanked Members for their overwhelming support for the Motion. Whilst he welcomed the support given by first

responder staff and local communities, a fundamental service review, leading to tangible improvements, was required.

RESOLVED that the Motion be supported.

Record of Voting - for 30, against 0, abstentions 0, absent 4.

(iii) Motion No. 6/2015 - Danny Kent, Moto 3 World Champion - Proposed by Councillor AR Brassington and Seconded by Councillor JA Harris

'Council wishes to congratulate 21-year old Tetbury resident Danny Kent on becoming Great Britain's first Grand Prix motorcycle world champion since 1977, by winning the Moto 3 World Championship.

Council requests that the Chairman writes to Mr. Kent congratulating him on his recent success and inviting him to a future Council Meeting, so that Members can congratulate him in person.'

The Chairman referred to his decision to allow the Motion to be debated at the Meeting, and invited Councillors Brassington and Harris to formally propose, second and speak to their Motion.

Both Councillors referred to what had been a remarkable achievement on the part of a young resident of the District, and felt that the Council should look to introduce some form of award as a mark of recognition for this and similar achievements in the future. Councillor Harris added that the UK had not had a moto world champion since Barry Sheene in the 1970s, which put Mr. Kent's achievement into even greater context.

RESOLVED that the Motion be supported.

Record of Voting - for 26, against 0, abstentions 3, absent 5.

CL.41 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 29, against 0, abstentions 0, absent 5.

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

Chairman

(END)