

(6) MEMBER QUESTIONS

Questions have been submitted, and responses provided, as follows:-

(1) From Councillor Jenny Forde to Councillor JM Beale, Chairman of the Council

'Owing to the nature of the strong leader model this Council operates by many decisions are made in individual cabinet member decision making meetings.

While the minutes of these meeting are available online, most Members don't have time trawl through them.

Would the Chairman of the Council consider including a standing agenda item on future full Council meeting agendas with a breakdown of Cabinet Member decisions?'

Response from Councillor Beale

Details of Cabinet Member decisions are already published as a standing item on Cabinet agendas, the papers for which are accessible to all Members. Given that such decisions are executive ones, I feel that reporting back via Cabinet is the most appropriate route, and is also a more timely approach.

I would certainly wish to avoid duplication, particularly as such items would purely be for information purposes.

(2) From Councillor AR Brassington to Councillor Sue Coakley, Cabinet Member for Environment

'Will the Cabinet Member provide figures of the number of prosecutions taken by CDC over each of the last 7 years in relation to offences under food safety/hygiene legislation?'

Response from Councillor Coakley

Details are set out below:-

Year	Number
2010-11	<i>nil</i>
2011-12	<i>nil</i>
2012-13	<i>nil</i>
2013-14	<i>1</i>
2014-15	<i>1</i>
2015-16	<i>1</i>
2016-17	<i>1</i>
Total	4

- (3) From Councillor AR Brassington to Councillor Sue Coakley, Cabinet Member for Environment

'Will the Cabinet Member provide figures of the number of prosecutions taken by CDC over each of the last 7 years in relation to offences under Health and Safety legislation?'

Response from Councillor Coakley

Details are set out below:-

Year	Number
2010-11	<i>nil</i>
2011-12	<i>nil</i>
2012-13	<i>1</i>
2013-14	<i>1</i>
2014-15	<i>nil</i>
2015-16	<i>nil</i>
2016-17	<i>1</i>
Total	3

- (4) From Councillor Andrew Doherty to Councillor Sue Coakley, Cabinet Member for Environment

'I note with interest that Biffa have installed cameras, on a trial basis, to help deal with problems of illegal and inconsiderate driving around refuse lorries in the Forest of Dean area. Do we have any idea of the scale of this problem in the Cotswolds, and are UBICO considering similar steps?'

Response from Councillor Coakley

Fitting cameras on waste and recycling collection vehicles is becoming more common as it deters spurious insurance claims, provides evidence of unsafe driving which endangers crews, and enables monitoring of the crews' compliance with policies such as wearing Personal Protective Equipment and replacement of containers.

We are unable to quantify the problems with illegal and inconsiderate driving, but it is certainly something the crews do experience.

We have been trialling cameras on some of the Ubico fleet in Cotswold and consider they provide a very positive health and safety tool. We will therefore be ensuring that the remainder of the fleet have cameras fitted when the vehicles are replaced in 2019.

- (5) From Councillor Andrew Doherty to Councillor Mark F Annett, Leader of the Council

'One of the welcome features of the Chesterton OPA process was the release into the public domain of the previously confidential viability assessment.'

However, this happened at a very late stage. Would the Leader please explain, giving examples, why the viability assessment was originally judged to require being kept secret from the public?'

Response from Councillor Annett

This matter was addressed at the Special Council Meeting.

In summary, a Local Planning Authority (LPA) is entitled to accept documents from an Applicant on a confidential basis; and this usually arises in respect of viability issues concerning affordable housing provision and any Section 106 package.

The viability assessment had originally been provided to Members as a confidential document, in accordance with usual and previous practice. However, during the course of discussions with our QC, it became apparent that such practice had been impacted by recent case law and, as the full documents had been provided to Members, then such documents should be released into the public domain. Having advised the Applicant's Agent of this, and with his agreement, the decision was taken to release the documents. The subtlety of the situation was such that, if the documents had not been disclosed in full to Members, and Officers had merely provided a summary of the information within their report together with any advice on the document, then the actual documents would not have been subject to release.

Officers are currently reviewing previous practice in the light of the case law highlighted.

(6) From Councillor Jenny Hincks to Councillor Mark F Annett, Leader of the Council

'How many Cotswold District Council staff are being transferred over to Publica? Please could you supply me with the total figure and a percentage figure of the entire workforce.'

Response from Councillor Annett

The current CDC workforce (excluding casual employees) is 270, and 253 Officers are scheduled to transfer to Publica. This equates to 93.7% of the workforce.

(7) From Councillors Tatyán Cheung and Juliet Layton to Councillor Mark F Annett, Leader of the Council

'Please can the Leader give an update on progress with respect to Motion 3/2016 regarding the Spine Road?'

Response from Councillor Annett

It is clear that the initial response from Gloucestershire County Council (GCC) was not considered satisfactory by many and could be regarded as raising more questions than providing answers.

However, having regard to GCC's offer of continued engagement to secure a longer term strategy for the area, addressing a wide range of issues, Officers have been in touch with GCC representatives to seek to take the matter forward without further delay. Ideally, this would involve bringing together all affected and/or interested parties - to ensure a holistic, rather than piecemeal, approach - which is in line with the way forward that you have previously advocated and which I support.

In the first instance I have asked our Officers to arrange, as a matter of urgency, an initial review/scoping meeting involving yourselves and the County Councillor for the area.

(8) From Councillor Jenny Forde to Councillor Mark F Annett, Leader of the Council

'At last Council, I put forward a motion to support the WASPI women of the Cotswolds and after deferring the item to Cabinet, it was RESOLVED that the Leader of the Council writes to Mr. Geoffrey Clifton- Brown MP, requesting him to raise this matter with the Government. I have heard nothing further from our MP and would like an update please.'

Response from Councillor Annett

Our MP is aware of the feelings of the Council and numerous constituents, and has already raised the matter with Government and various Ministers. The MP continues to monitor progress with the petition on the issue which is now nearing 80,000 signatures. Whilst the Government has issued an initial response, indicating that further concessions will not be forthcoming, the petition remains open until 13th March 2018; and at 100,000 signatures the petition will be considered for debate in Parliament. The MP is also willing to raise the matter again in the meantime, should any new evidence and/or information be forthcoming. I am afraid that, at this stage, it is a matter of wait and see; but would encourage people to sign the petition should they wish to try to secure a democratic Parliamentary debate.

(9) From Councillor M Harris to Councillor Mark F Annett, Leader of the Council

'Under the previous CDC Leader, the Lib Dems were told they must be dreaming if they think that Councils investing in building will go any way to solving the housing shortage in this country.'

In light of the big announcement by Theresa May, in her 'British Dream' speech at the Conservative Party conference, that an additional £2bn will be made available for affordable housing and, I quote, - "We will encourage councils as well as housing associations to bid for this money and provide certainty over future rent levels. And in those parts of the country where the need is greatest, allow homes to be built for social rent, well below market level. Getting government back into the business of building houses. A new generation of council houses to help fix our broken housing market." - will the Leader set up a cross-party working group to establish how CDC can quickly bid for funds and look at building some of the much needed social rented housing in the District?'

Response from Councillor Annett

We are still awaiting full details of the scheme to come through, and our Officers are actively monitoring the situation.

We are, however, aware that a number of councils are already exploring different ways of enabling/providing affordable housing, and being able to access Government funding, including setting up housing development companies - private companies limited by shares, where all the shares are held by the local authority, i.e. the company is a wholly-owned subsidiary of the local authority - or in the form of a joint venture with another local authority or a private sector developer. While we need to investigate more fully, it might be that the formation of Publica could afford this Council the potential to move on this matter quite quickly should appropriate sites be forthcoming. I would also draw your attention to the action in CDC's Housing Plan of exploring the potential/implications of CDC becoming an investment partner in development. Furthermore, it is worth remembering that the key issue in the Cotswolds relates to the availability of sites, rather than funding.

I would not rule out a working party, and am happy for one to be set up in due course, but feel it might be better to secure more detailed information in the first instance.

(10) From Councillor JA Harris to Councillor Mark F Annett, Leader of the Council

'Can the new Leader advise the Council (given that he didn't serve as Deputy, or as a Cabinet Member) what his induction and training programme has been to carry out this role?'

Response from Councillor Annett

Thus far, I have preferred to adopt a more practical and pragmatic approach - by way of briefings and hand-over with the former Leader; meetings with Cabinet colleagues; and on-going briefings from senior Officers.

Moving forward, I have received details of the range of political leadership development programmes available from the Local Government Association, and am currently assessing what might be of benefit and of value, in both content and financial terms.

I am also a firm believer that no one approach fits all, and formal training is but one potential element of learning. In my time as a Councillor, I have actively listened and observed, and learned. I have seen three different Leaders - Councillor Stowe, obviously, plus former Councillor Hodgkinson and yourself as successive Leaders of the Liberal Democrat Group. All have displayed different styles, attributes, attitudes and approaches - some of which I would wholly endorse and seek to embrace; but others which I would not wish to follow.

(11) From Councillor JA Harris to Councillor Mark F Annett, Leader of the Council

'Why couldn't the Leader of Council show up to the Park Community Group's debate about his administration's Local Plan and its implications for Cirencester?'

Response from Councillor Annett

My reasons for declining to attend - not 'couldn't show up' - are well documented and well-known to Councillors, including yourself. Indeed, my letter to Mrs. Cobbett was included in the Wilts & Glos Standard, both online and in the 'hard' copy version. I am happy to provide a copy to any Member.

My reasons included:-

- My Leader role did not have responsibility for the Local Plan - the lead role for this was allocated to a specific Cabinet Member, and the approval of the Submission Draft Local Plan was a 'full' Council decision; and neither did it include the decision to be made on the outline planning application by BDL, which was to be made by the 'full' Council. Furthermore, decisions on land allocations (through a Local Plan) and planning and related applications must not be taken on party-political lines.*
- As the draft Local Plan has been submitted, I was not able either to respond to queries from members of the public on the draft Plan or to express an opinion on the merits of what is proposed in the draft Plan.*
- Concerns that certain attendees had been invited based on political allegiance - and, given that the consideration and determination of planning applications must not be on party political lines, I did not wish to be drawn into a political debate which might then stray into the merits of the application.*
- Concerns over the timing of public meeting, being only three weeks before the special Council Meeting.*
- Being mindful that attendance at the open meeting - not just by me but by any Member who intended to take part in the special Council Meeting - could give rise to possible issues or allegations around pre-determination or bias, or undue lobbying which could lead to an opinion being expressed that might prevent participation at the special Council Meeting.*

I am fully aware of the provisions of the Localism Act and other related guidance. I am also mindful of public perception. For my part, I decided to adopt a cautious approach; and I acknowledge that others felt that they were content to seek to participate in such a way that they believed would not lead to any accusation of pre-determination or bias. Ultimately, as with the declaration of interests, the final decision rests with the individual Member.

I would also point out that, given my absence and that of the Deputy Leader and any Conservative Group member, I asked Christine Gore, Strategic Director at CDC for all planning and development matters, to attend the public meeting - given that she is the most senior Officer at CDC on such matters and I was sure that she would be more than able to comment on planning matters of a technical nature (which proved to be the case).

(12) From Councillor R Theodoulou to Councillor Mark F Annett, Leader of the Council

'A number of residents in my Ward have raised serious concerns about the levels of crime and anti-social behaviour in our rural areas and market towns. At the same time, residents complain that there is scant Police activity and presence, particularly at weekends which might deter criminality in these areas. Does the Leader agree with me that Policing in the rural areas is woefully inadequate?'

Response from Councillor Annett

I met with the Police and Crime Commissioner recently, and raised the issue of rural policing with him in the light of your question. However, as a stronger starting point, I would welcome any specific cases/examples that have been raised with you, or indeed any other Council Member, and I will pass these on for comment.

(13) From Councillor R Theodoulou to Councillor Mark F Annett, Leader of the Council

'Would the Leader kindly provide details of all meetings/briefings/events open to Members where information has been presented in connection with the formation and set-up of Publica?'

Response from Councillor Annett

Meeting details are set out below:-

(i) CDC Meetings/Briefings

<i>Cabinet</i>	<i>5th June 2014</i>	<i>Approval of report and outline business case for 2020 Vision for Joint Working</i>
<i>Cabinet</i>	<i>4th December 2014</i>	<i>Approval of establishment of a shared services partnership venture, and related decisions</i>
<i>Overview and Scrutiny Committee</i>	<i>1st July 2015</i>	<i>2020 Vision Partnership Update - Principles and Organisational Model</i>
<i>Cabinet</i>	<i>11th June 2015</i>	<i>Approval of Memorandum of Understanding</i>
<i>Overview and Scrutiny Committee</i>	<i>1st September 2015</i>	<i>2020 Vision Programme</i>
<i>Cabinet</i>	<i>17th September 2015</i>	<i>2020 Vision for Joint Working - Business Case</i>

<i>Council</i>	<i>29th September 2015</i>	<i>Approval of full 2020 Vision for Joint Working Business Case, operating under a Joint Committee</i>
<i>Joint Consultative Committee</i>	<i>8th February 2016</i>	<i>2020 Vision Programme Appointments – Implications for CDC</i>
<i>Council</i>	<i>23rd February 2016</i>	<i>2020 Vision Programme Appointments</i>
<i>Cabinet</i>	<i>15th September 2016</i>	<i>2020 Partnership - Establishment of Companies</i>
<i>Council</i>	<i>27th September 2016</i>	<i>Formation of Teckal Companies</i>
<i>Joint Consultative Committee</i>	<i>29th September 2016</i>	<i>2020 Partnership update</i>
<i>Member Briefing</i>	<i>21st February 2017</i>	<i>Update Session</i>
<i>Joint Consultative Committee</i>	<i>23rd March 2017</i>	<i>2020 Partnership update</i>
<i>Overview and Scrutiny Committee</i>	<i>7th March 2017</i>	<i>2020 Partnership Update</i>
<i>Council</i>	<i>13th June 2017</i>	<i>Vires Audit</i>
<i>Joint Consultative Committee</i>	<i>6th July 2017</i>	<i>2020 Partnership update</i>
<i>Overview and Scrutiny Committee</i>	<i>5th September 2017</i>	<i>Publica Set-Up</i>
<i>Joint Consultative Committee</i>	<i>28th September 2017</i>	<i>2020 Partnership update</i>
<i>Member Briefing</i>	<i>3rd October 2017</i>	<i>Update Session</i>

(ii) 2020 Partnership Joint Committee Meetings

- 12th February 2016
- 17th June 2016
- 30th September 2016
- 10th February 2017
- 16th June 2017

In addition to the above, there were many other information 'vehicles' for members, including items within the Weekly Bulletin, and Press Releases. Members have also had the opportunity to submit formal questions at Cabinet and Council Meetings, as well as seek to engage with Officers throughout the Publica process.

Notes:

(i) The above questions were submitted by the time by responses are guaranteed to be provided to the questioner at least 24 hours before the Council Meeting (by virtue of the Council's Procedure Rules). As such, written responses will be provided to all Members either in advance of, or at, the Council Meeting.

(ii) If the questioners are present at the Meeting, they will be entitled to ask one supplementary question arising directly out of either the answer given or their original question.

(iii) The Member to whom any supplementary question is addressed will try and answer any supplementary question at the Meeting; but if this is not possible, then the Member will answer as much as possible at the Meeting and then provide a full response within five working days. If, for any reason, a full response cannot be provided within those five days, then a holding response will be sent to the questioner, along with the reason for delay and a likely timescale for the full response.

(END)