



**COTSWOLD**  
DISTRICT COUNCIL

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# COUNCIL AGENDA

**Tuesday 11th December 2018, 10.00 a.m.**

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**Council Chamber, Trinity Road, Cirencester,**

# NOTES

## (i) Questions Arising on the Agenda

If any Member has any questions regarding either (a) an update/progress report on a specific item contained in the Minutes of the previous Meeting or (b) a report contained within the Agenda, he/she is requested to give advance notice of such question to the Director/Officer originating the report or to an Officer of the Democratic Services Section so that a full response can be made available either prior to, or at, the Meeting. If no such advance notification is given, a full response to any question cannot be guaranteed at the Meeting.

With specific regard to the Minutes of previous Meetings, Members' attention is drawn to Council Procedure Rule 17.1 which provides that, once the Minutes have been signed, Members may ask questions to ascertain what progress has been made on a particular matter referred to in the Minutes, but may not make any other statement or generate discussion on the Minutes.

## (ii) Mobile Phones/Pagers

All mobile phones/pagers should be **SWITCHED OFF OR SET TO SILENT MODE BEFORE** the start of the Meeting.

## (iii) Recording of Proceedings

The public proceedings of Council, Cabinet, and Committee Meetings may be recorded, which includes filming as well as audio-recording. Photography is also permitted.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Committee Administrator know before the start of the Meeting.

Recording/filming should not be disruptive or distracting to the good order and conduct of the Meeting. To assist with this, an area of the Meeting venue will be designated from which proceedings can be recorded/filmed, and 'roaming' around the venue while recording is not permitted. The Chairman will exclude anyone whose behaviour is disruptive.

Recording/filming should only be of Members and Council Officers, and not any members of the public (unless they are formally addressing the Meeting or unless specific permission has been given by those individuals).

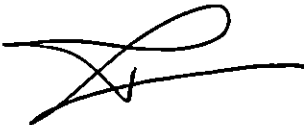
For further information, please read the Notices displayed inside and outside the Meeting venue and/or speak with the Committee Administrator.

## (iv) Committee Administrator

If any Member has any general questions about the Meeting or the associated agenda papers, or is unable to attend, he/she is asked to contact Ben Amor on 01285 623236 who will be the Committee Administrator responsible for the Meeting.

### Distribution:

All Members of the Council



**Nigel Adams**  
Head of Democratic Services

3<sup>rd</sup> December 2018

# COUNCIL : 11<sup>TH</sup> DECEMBER 2018

## AGENDA

(1) **Apologies**

(2) **Declarations of Interest**

(a) To receive any declarations of interest from Members under:-

(i) the Code of Conduct for Members; and/or

(ii) Section 106 of the Local Government Finance Act 1992 (any Councillor who has Council Tax payments remaining unpaid for at least two months must declare an interest and not participate in any matter affecting the level of Council tax or arrangements for administering the Council Tax).

(b) To receive any declarations of interest from Officers under the Code of Conduct for Officers.

(3) **Minutes** - To confirm the Minutes of the Meeting of the Council held on 25<sup>th</sup> September 2018 (attached).

(4) **Announcements from the Chairman, Leader or Head of Paid Service**

(5) **Public Questions**

Council Procedure Rule 10 - Not more than fifteen minutes allowed for written questions to be put by members of the public on any matter in relation to which the Council has any power or duties or which affects the District.

The following questions have been submitted:-

(1) From Mr M Pratley, Chairman of Save Our Cirencester, to the Leader of the Council

'The Council has declined to answer a Freedom of Information request, made by Mrs Golics on behalf of Save Our Cirencester, regarding details of the role of the QC in the Bathurst Outline Planning Application for 2,350 homes on Chesterton Farmland.

The Council has openly declared that his costs were in excess of £30,000, paid for by the Council Taxpayer. If CDC are transparent about the costs, why are they denying the public (who paid for these services), the information requested regarding the instructions they gave to the QC and the information they received from him?'

(2) From Mr P Moylan of Cirencester to Councillor Mark MacKenzie-Charrington, Cabinet Member for Planning and Licensing Services and Cirencester Car Parking Project

'We understand that the Case Officer for the Chesterton application has left the Council during the critical S106 negotiations on the Bathurst Outline Planning Application for 2,350 homes on Chesterton Farmland. What

problems has this caused? Should the public be concerned about the adequacy of the Council's Planning resources?'

(3) From Mr P Moylan, of Cirencester, to the Leader of the Council

'The Council have refused to make public information about the advice it sought from and which it was given by the QC in respect of Chesterton and this refusal has been propped up by a formal review process undertaken by the Monitoring Officer from the Forest of Dean District Council. CDC relied on the exemption in Regulation 12(5)(b) of the Environmental Information Regulations 2004 and section 42 of the Act. Why has the Council taken such a heavy handed and apparently clandestine approach to the disclosure of information which ought to be made known to the public? Would the Council be surprised that the public are suspicious of this approach?'

(4) From Honorary Aldermen JGK Birch and EGJ Horsfall to the Leader of the Council

'Could the Leader please tell us what position Cotswold District Council is taking regarding the Cotswold AONB becoming a National Park?'

(5) From Dr D James, of Cirencester, to Councillor SG Hirst, Cabinet Member for Health, Housing and Leisure

'Air Pollution Monitoring - Now that CDC's Local Plan has been accepted, we can expect several thousand new vehicle movements per day around the town during and after the Chesterton Site is developed up to 2031. Since Cirencester will then receive 2.5 times the average number of new houses/per 100 residents (17 v 7) in the UK, we will have a higher traffic density on our roads than any other similar sized market town and, therefore, higher pollution levels than elsewhere. We already know that the latest 2017 official CDC NO2 measurements in the town are only just under the EU limits at two locations, Gloucester Road and the London Road (Waggon and Horses). The former is only 150 yards from a very busy primary school. What measures are being taken to improve air pollution monitoring at this and additional sites around the town in order to safeguard the future health of those particularly vulnerable, i.e. the very young and the very old?'

(6) From Mr J Nicholas, of Cirencester, to Councillor to Councillor Mark MacKenzie-Charrington, Cabinet Member for Planning and Licensing Services and Cirencester Car Parking Project

'Proposed new Health Centre at Chesterton - I and the people of Cirencester believed that, as part of the Chesterton Development, a new health centre would be crucial for the welfare of the new citizens and that this land would be available for the Clinical Commissioning Group (CCG) to develop at their expense. Recently, we have come to realise that this is not the case and that negotiations are in progress over both the purchase of the site as well as the building of such a health centre. What progress has been made in these negotiations, and why was the land not given to the CCG in the interest of the Cirencester's citizens' health?'

Note:

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.

(6) **Member Questions**

Council Procedure Rule 11 - Not more than fifteen minutes allowed for written questions to be put by Members on any matter in relation to which the Council has any power or duties or which affects the District.

The following questions have been submitted:-

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

*'A number of new street signs have been installed in Cirencester and across the Cotswolds.*

*The frames they sit in are made of a galvanised steel and no effort has been made to paint them in order to make them sensitive to our conservation areas or the AONB. Surely this isn't befitting of the beautiful Cotswolds?*

*Will the Cabinet Member commit to ensuring that all new frames for street signs are painted?'*

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

*'At present, planning notices are displayed in plastic wallets, which are usually fixed to lamp post columns or poles with sellotape.*

*Does the Cabinet Member agree that this is an awful example of where this Council is using single use plastics, and will she look into re-usable notice boards that can be affixed to surfaces that many other Councils use?'*

(3) **From Councillor Jenny Forde to Councillor Sue Coakley, Cabinet Member for Environment**

*'What has been the increase in fly tipping in my ward since Fosse Cross had its opening hours changed?'*

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

*'In May, I asked a question about the costs relating to the Berrells Road application judicial review challenge and the value of the S106 benefits withdrawn as a result of the judicial review.*

*The Deputy Leader told me that he would provide me with a written response to this question which, to date, I still haven't received. Why have I still not had an answer?'*

(5) **From Councillor Jenny Forde to Councillor AW Berry, Leader Elect of the Council**

*'What is being done by the Council to encourage more women, young people and under-represented groups to stand for Council next year, to ensure that our Council reflects its residents?'*

(6) From Councillor NP Robbins to Councillor AW Berry, Leader Elect of the Council

*'In 2014, the Planning Committee at CDC unanimously voted to support plans to regenerate Cirencester's Market Place, the Conservative Cabinet also voted to support the scheme with £100,000 and Conservative-controlled Gloucestershire County Council raised no objections.*

*Does this administration support the new Market Place scheme?'*

(7) From Councillor Mark Harris to Councillor AW Berry, Leader Elect of the Council

*'At the 19<sup>th</sup> October 2017 meeting, I highlighted the PM's Conservative Party Conference speech that wanted to create "a new generation of council houses to help fix our broken housing market". The government was offering up £2Bn to achieve this, and I asked that a cross-party group be set up to ensure we establish eligibility to get our fair share.*

*The reply was that it needed looking into, that the formation of Publica might speed up the process, and then a cross-party working party could be set up.*

*A year later I have not heard any more.*

*At this year's Conservative Party Conference, Theresa May used her closing speech to announce that she is getting rid of the cap on what councils can borrow to build homes.*

*She said "Solving the housing crisis is the biggest domestic policy challenge of our generation. We cannot make the case for capitalism if ordinary working people have no chance of owning capital."*

*The LGA described the move as "fantastic".*

*All I want to do is ensure that the Cotswolds gets its share and we do not miss out - so please would the Leader tell me why the people of the Cotswolds who need affordable housing have been neglected for over a year while Publica gets up to speed?'*

(8) Councillor JA Harris to Councillor AW Berry, Leader Elect of the Council

*'How many social rented houses have been built in the Cotswolds over the last year?'*

(9) From Councillor JA Harris to Councillor Mark MacKenzie-Charrington, Cabinet Member for Planning and Licensing Services and Cirencester Car Parking Project

*'At the last meeting, Councillor Roly Hughes asked you about tidying up Brewery Court, particularly the former Bramley's building, of which CDC is the freeholder.*

*You told us that works would commence at the end of September if Wildmoor, who is the leaseholder, had not made repairs.*

*It is now December and the area is still blighted. Why has nothing happened?'*

**Note:**

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.

(7) **Petitions (if any)**

(8) **Election of Leader of the Council**

Having regard to the decision of the former Leader of the Council, Councillor mark Annett, to stand down from the Leader role, to elect a Leader of the Council (who shall also be Chairman of the Cabinet) to hold office for the remainder of the Council term, i.e. until the Annual Meeting of the Council in May 2019.

## **Items for Decision**

	<b><u>Page Number</u></b>
(9) <b><u>Future Waste Service Review</u></b>	<b>1</b>
(10) <b><u>Treasury Management Review - Mid-Year 2018/19</u></b>	<b>24</b>
(11) <b><u>Gambling Act 2005 - Review of The Statement of Principles</u></b>	<b>30</b>
(12) <b><u>Old Memorial Hospital, Cirencester</u></b>	<b>74</b>

## **Other Matters**

(13) **Issues/Reports Arising from the Cabinet (if any)**

(14) **Issues/Reports Arising from Overview and Scrutiny and/or Audit (if any)**

(15) **Notice of Motions**

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

(i) **Motion 6/2018 re Modern Slavery**

Proposed by Councillor AW Berry, Seconded by Councillor JA Harris:

*'Cotswold District Council resolves to adopt the Modern Slavery Charter and will:*

- *Request and urge Publica, Ubico, SWAP and SLM (its principal partners that deliver services on its behalf) to ensure that their employees are trained to recognise the signs of modern slavery;*
- *Ensure that appropriate channels are available for staff working for partners or contractors to report any potential cases of modern slavery, such as through the Whistleblowing policy or the Counter Fraud Unit;*
- *Request and urge that the procurement teams of Publica, Ubico, SWAP and SLM are appropriately trained to understand modern slavery through the Chartered Institute of Procurement and Supply on-line course on Ethical Procurement and Supply;*
- *Require all contractors to comply fully with the Modern Slavery Act 2015;*
- *Require those submitting any abnormally low-cost tenders to provide evidence to ensure they do not rely upon contractors practising modern slavery;*
- *Encourage suppliers to remind contract workers that they are free to join a Trade Union or representative organisation, as we recognise this provides added protection against modern slavery;*
- *Refer cases of suspected modern slavery to the National Crime Agency for investigation;*
- *Provide an annual summary of any actions taken on this subject in its annual performance report.'*

(ii) Motion 7/2018 re X-Ray Services at the North Cotswold Hospital, Moreton-in-Marsh

Proposed by Councillor Alison Coggins, Seconded by Councillor RW Dutton:

*'This Council resolves to support the North Cotswold Rural Community in its campaign to have X-Ray Services reinstated in full at the North Cotswold Hospital, Moreton-in-Marsh, after a reduction in services from 28 hours a week to 8 hours a week; and writes to the local MP seeking his support in opposing this change.'*

(iii) Motion 8/2018 re Household Recycling Centre Opening Hours

Proposed by Councillor Jenny Forde, Seconded by Councillor NP Robbins:

*'Council notes the recent decision by Gloucestershire County Council to reduce the opening hours of Household Recycling Centres (HRC) across the County.*

*Fosse Cross HRC, in the Cotswolds, is now closed on Tuesdays and during the winter is only open from 10am to 4pm.*

*Council further notes that, since the decision to reduce opening hours, fly tipping has occurred outside the Fosse Cross HRC and in the roads and lanes around Fosse Cross HRC.*

*Council recognises that the small savings made by the County Council are a false economy because these costs are passed on to CDC in order to clear up fly tipping and dealing with increases to residual waste.*

*Council therefore calls on the County Council to re-open Fosse Cross HRC on Tuesdays and return to the previous opening hours.'*



(iv) Motion 9/2018 re X-Ray and Radiology Provision at the North Cotswold Hospital, Moreton-in-Marsh

Proposed by Councillor Dilys Neill, Seconded by Councillor JA Harris:

*'Council notes the recent decision to reduce X-ray and radiology provision at North Cotswold Hospital from 28 hours a week to just 8.*

*Council further notes the strong strength of public feeling against the decision, including over 5000 signatures on a petition opposing the change.*

*This Council calls for the immediate reinstatement of this service and to preserve current walk-in services at North Cotswold Hospital.*

*Council instructs the Leader of the Council to write to Chief Executive of Gloucestershire Care Services NHS Trust outlining the Council's position.'*

Notes:

(i) There is a possibility that Motions 7/2018 and 9/2018 will be combined.

(ii) A further Motion was received by the deadline, and discussions are on-going as to whether it is to be presented (having regard to an extant Council decision).

(iii) In accordance with Council Procedure Rule 12, any Motion that is duly proposed and seconded shall automatically stand referred to the Cabinet or the appropriate Committee for consideration, unless the Chairman of the Council considers it convenient and conducive to the despatch of business for the Motion to be dealt with at the Meeting. Members will be advised of the views of the Chairman on this aspect as soon as possible.

(16) Sealing of Documents

To resolve:

"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."

Note:

The Register of Sealing will be available at the Meeting for Members' inspection.

(END)