



**COTSWOLD  
DISTRICT COUNCIL**

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# **COUNCIL AGENDA**

**Wednesday 3rd July 2019, 6.00 p.m.**

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

## NOTES

(i) Questions Arising on the Agenda

If any Member has any questions regarding any substantive item contained within the Agenda, he/she is requested to give advance notice of such question to the 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.

(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 Paid Service

25<sup>th</sup> June 2019

# COUNCIL: 3<sup>RD</sup> JULY 2019

## AGENDA

(1) **Apologies**

To receive any apologies for absence.

(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:-

(i) the Minutes of the Meeting of Council held on 26<sup>th</sup> February 2019 (attached);

(ii) the Minutes of the Annual Meeting of Council held on 14<sup>th</sup> May 2019 (attached);

(iii) the Minutes of the Special Meeting of Council held on 27<sup>th</sup> June 2019 (to follow, if available).

(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) **Question from Mr David Fowles of Poulton to Councillor Joe Harris, Leader of the Council**

*'It is now nearly 6 months since the Cirencester Futures conference at which there were 120 delegates present. Just prior to the election, the CEO of the Town Council, officers from CDC's Forward Planning Team and I (as the then elected representative) met to plan the next steps for the creation of the Cirencester Futures Partnership.*

*Could the Leader please update the town on what is happening?'*

(2) Question from Mr David Fowles of Poulton to Councillor Mark Harris, Cabinet Member for Car Parks and Town and Parish Councils

*'There continues to be a shortage of car parking in Cirencester town..*

*As the long-standing Chairman of the Cirencester Parking Board and the newly appointed Portfolio Holder for, amongst other things, car parking, could you please update the town on what progress has been made on the various car parking initiatives in the town?'*

(3) Question from Mr Patrick Moylan of Cirencester to Councillor Joe Harris, Leader of the Council

*'This question concerns the viability assessment connected with the Chesterton strategic site and the Bathurst Development.*

*Planning Practice Guidelines say that 'Any viability assessment should be prepared on the basis that it will be made publically available other than in exceptional circumstances'. The courts have grappled with the issue of whether viability assessments should be confidential and increasingly the move has been toward demanding openness. It is not clear what those exceptional circumstances might be. It is questionable whether what was previously viewed as confidential and trade secrets would now be accepted as 'exceptional' and, therefore, a valid reason to withhold information. Indeed, notwithstanding the PPG, requests to disclose under the Environmental Information Regulations 2004 leave little room for discretion.*

*Will the Council undertake to make public the viability assessment documentation relating to the Chesterton development?'*

(4) Question from Mr Patrick Moylan of Cirencester to Councillor Joe Harris, Leader of the Council

*'The previous Leader of the Council, Tony Berry, agreed in early April that a straightforward document which compares the Chesterton S106 heads of terms with the S106 agreement would be helpful and promised that he would arrange for one to be produced. Indeed, we are surprised if one doesn't exist in some form, otherwise how could the officers and former Leader be sure that the legal agreement accorded with the heads? The new Leader of the Council has stated that such a document will be made available. Given the public disquiet over at least three matters - the education contribution, the health centre and the socially rented affordable housing numbers - would the Council please make getting this document out a priority, and when can we expect to see it?'*

(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) Question from Councillor Ray Theodoulou to Councillor Joe Harris, Leader of the Council

*'The Administration has pledged to look at the CDC decision-making structure and consider the introduction of the committee system to replace the cabinet system which has been in place for some 20 years.*

*Does the Leader accept that the cabinet system has served this Authority well and can he explain the potential benefits of a committee decision making system as compared with the present governance arrangements?’*

(2) Question from Councillor Sue Jepson to Councillor Joe Harris, Leader of the Council

*‘The Leader has indicated his keen-ness to engage and promote transparent decision-making. Could he, therefore, confirm what consultation took place in respect of the timings of full council meetings before they were recently circulated to members as a fait accompli?’*

*I specifically refer to the proposals that most meetings of full council will start at 6pm.*

*The finish time for the 26th February 2019 meeting of full council, at which the budget was set, is recorded as 3.55pm. This indicates a meeting length of 5 hours 55 minutes. After deducting say an hour for lunch, the meeting still lasted nearly 5 hours.*

*Given the proposed start time of 6pm for the corresponding meeting in 2020, did the Leader give any consideration to the fact that there are councillors in this room (including women who may be travelling alone) who will be leaving Cirencester as late as 11pm in the evening in the middle of the winter with an hour’s journey ahead of them - often along unlit country lanes?’*

*Did the Leader also give any consideration to the fact that councillors in such circumstances may also need to employ the services of sitters for the elderly or, indeed babysitters, and that a midnight finish may severely restrict that opportunity?’*

*Did the Leader also give any consideration as to the availability of public transport for members who may wish or need to use that method of transport? In that respect would he kindly advise what buses and/or trains would be available to transport me from Cirencester back to Chipping Campden, given a departure time of 11pm - or later - and also confirm my arrival time back home the following day?’*

*Please can the Leader please give an estimate of the extra costs involved in evening meetings of both full Council and Cabinet for Officer attendance, including any overtime payments and the value of additional time-off-in-lieu?’*

*Finally, will the Leader please reconsider this decision? If not, would he please consider holding every other meeting at Moreton-in-Marsh Area Centre in order that the burden is shared more equally amongst members?’*

(3) Question from Councillor Julian Beale to Councillor Joe Harris, Leader of the Council,

*‘In the light of his responsibilities in leading Cotswold District Council, will Councillor Joe Harris resign his seat on Gloucestershire County Council?’*

(4) Question from Councillor Richard Morgan to Councillor Mark Harris, Cabinet Member for Car Parks and Town and Parish Councils

*‘Could you confirm how many town or parish council meetings you have attended (not including those directly relating to your own ward) since you became Cabinet Member for Car Parks and Town and Parish Councils?’*

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

## Items for Decision

- (8) **Funding Allocations - 2018/19 Budget Surplus**  
(9) **Temporary Decked Car Parking in Cirencester**

## Other Matters

- (10) **Issues/Reports Arising from the Cabinet (if any)**  
(11) **Issues/Reports Arising from Overview and Scrutiny and/or Audit (if any)**  
(12) **Notice of Motions**

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

- (i) **Motion 1 of 2019/20 re Corporate Strategy and Plan**

Proposed by Councillor Mike Evemy, Seconded by Councillor Mark Harris:

*'This Council notes that it now has a Liberal Democrat administration for the first time following 16 years of Conservative rule.'*

*Its majority group has a new set of priorities as outlined in the Liberal Democrats 2019 manifesto 'Because the Cotswolds Deserves Better', which requires a fundamental review and re-writing of the Council's Corporate Strategy and Plan.*

*The Council therefore rescinds its current Corporate Strategy and Plan and instructs its Officers to work with the Leader and his Cabinet to prepare a new Plan for debate and agreement at its meeting on 25<sup>th</sup> September 2019.'*

- (ii) **Motion 2 of 2019/20 re Climate Emergency**

Proposed by Councillor Rachel Coxcoon, Seconded by Councillor Andrew Maclean:

*'Council notes that:*

- The global position on climate change is clear: the world has already reached around 1°C of post-industrial warming; extreme weather events happening now can be attributed with confidence to warming at this scale, and the impacts of climate breakdown are already causing serious damage around the world.*
- In a business-as-usual world, reaching global warming of 4°C by 2100, significant and systemic impacts will occur, against which the effect of adaptation actions will be limited. The UK faces damaging local impacts related to extreme heat, water shortages, sea level rise, and global impacts such as food price shocks and greatly increased migratory pressures.*

- *The Intergovernmental Panel on Climate Change's 1.5°C special report (2018) demonstrates that, with ambitious action, limiting climate change impacts to 1.5°C may still be possible.*
- *The Committee on Climate Change 'Net Zero' report of May 2019 concludes that it is now credible, achievable and cost-effective for the UK to legislate for a 100% reduction in greenhouse gas emissions, and government will bring this forward for Parliamentary vote.*

*Council also notes that:*

- *All governments (national, regional and local) have a duty to act, and to lead change on the ground. The urgency of the situation is such that local governments that recognise this must not wait for their national governments to change their policies.*
- *Strong policies to cut emissions will have a wide range of associated health, well-being and economic benefits that will improve the quality of life for our residents.*
- *The Cotswolds is an Area of Outstanding Natural Beauty, of international renown, and the impacts of unchecked climate change on the AONB will cause massive and irreversible damage to its environmental integrity and special characteristics.*

*Council therefore commits to:*

- *Declare a 'Climate Emergency' that requires urgent and comprehensive action.*
- *Make the Council's own activities net-zero carbon as soon as possible, aiming for an 80% reduction against a 1990 baseline by 2030, and a 100% reduction by 2045, with no reliance on offsetting or the trading of carbon credits.*
- *Achieve 100% clean energy use across the Council's full range of functions as soon as possible, and not later than 2030.*
- *Instruct Officers to produce a strategy and delivery plan within 12 months, aligned with the above targets, together with budgeted actions and a measured baseline, to be submitted to Cabinet fully detailing the financial, resource and other implications arising from the Motion.*
- *Ensure that political and chief officer leadership teams from the Council and Publica embed climate emergency considerations in all work areas and decision-making processes.*
- *Ensure that the Council's Overview and Scrutiny Committee and any Scrutiny Panels consider the impact of climate change and the environment when reviewing Council policies and strategies.*
- *Appoint a Corporate Sustainability Manager with a clear brief to provide senior officer level support across the Council to embed climate-friendly working practices, and co-ordinate evidence review, strategy development and policy drafting on moving to a net carbon zero target.*

- *Provide training and support to all Council and Publica employees to ensure that climate change considerations are part of all decision making, and all roles.*
- *Review the adopted Local Plan to ensure that climate change is a strategic priority for planning and new development, and introduce Supplementary Planning Documents where necessary to provide greater clarity and ambition on planning for renewable energy generation and storage, housing energy efficiency, green infrastructure, sustainable drainage and low-carbon transport solutions.*
- *Consider all Council and Publica contracts going forward to oblige all contractors to report their carbon emissions, and to use a 'carbon / environmental cost' as a key decision factor when assessing competing bids.*
- *Publicly report on the level of investment in the fossil fuel industry that our pensions plan and other investments have, and review the investment strategies of the Council and Publica to give due consideration to climate change impacts in the investment portfolio.*
- *Take a leadership role on the Climate Emergency in the Cotswolds, working with, influencing and inspiring partners across the District, County and region to help deliver a zero-carbon future through all relevant strategies, plans actions and shared resources by developing a series of meetings, events and partner workshops.*
- *Establish a Climate Change Panel, involving Councillors, residents, young citizens, climate science and solutions experts, businesses, and other relevant parties, to help shape and promote the District's zero-carbon strategy, and also recommend ways to maximise local benefits of these actions in other sectors such as employment, health, agriculture, transport and the economy.*
- *Call on the UK Government to urgently provide the powers, resources and help with funding to make this possible, and ask local MPs to do likewise.*
- *Immediately restrict the use of flights for all Council business - conferences and meetings within the UK and Europe will be subject to a no-fly rule, and any Council business that would require travel outside Europe will be referred to the Cabinet Member for Climate Change for review.'*

(iii) Motion 3 of 2019/20 re Democratic Renewal

Proposed by Councillor Jenny Forde, Seconded by Councillor Mike Every:

*'This Council believes that it is here to serve the needs of the District's residents by taking well informed and reasoned decisions to improve their lives and the built and natural environment of the District.*

*This Council recognises that it needs to improve how it engages with the public, how it supports its Members to participate in its decision-making, and how it inspires and develops its employees.*



*As a leading public body within Gloucestershire, the Council recognises that it can set an example for other public bodies, private companies, charities and voluntary sector bodies by how it operates.*

*This Council therefore resolves to remove all gender-specific terms from its practices. Terms such as Chairman and Vice-Chairman are out-dated and send the wrong message to our residents, Members and employees about our commitment to equality of opportunity.*

*It calls for its Officers, both directly and indirectly employed, to review their practices and procedures to ensure that they do not disadvantage residents, Members or employees based upon their sex, race, religion, disability, sexual orientation, gender identity or any other legally protected characteristic, recognising that everyone has unconscious bias.*

*It welcomes the initiative of the Chair and the Leader to trial holding Council and Cabinet meetings at different times to make it easier for Members and residents to participate and asks each of its committees to consider how they could engage residents and other Members more in their work. It requests Officers to gather feedback on the impact of these trials to share with Members when considering the municipal calendar for 2020/21.*

*This Council supports the Leader's initiative to webcast its proceedings and those of its Cabinet and Committees as a key mechanism to widen access and understanding of the Council's decision-making process.*

*This Council wishes to review its decision-making processes and the ways in which interested Members and the public can participate in those processes to improve the resulting decisions. It will therefore set up a task group consisting of six members (3 from the Liberal Democrat Group, 2 from the Conservative Group and one non-aligned Member) to consider the options available for the Council to amend its current Constitution to meet the goals set out in this motion, reporting back to Council before the end of this municipal year.'*

(iv) Motion 4 of 2019/20 re Use of Solar Panels to Reduce Carbon Footprint

Proposed by Councillor Steve Trotter, Seconded by Councillor Tony Berry:

*'Following the Council's announcement of a 'Climate Change Emergency', and as a starting point for a full programme in response to this, we ask that the Council takes immediate action by instigating a project to assess the cost/benefit case of installing solar panels on the roof of its Trinity Road premises and any other suitable owned properties, leading to a decision as to whether or not to carry out the work.'*

(v) Motion 5 of 2019/20 re More Scrutiny of Valley Trading Planning Application

Proposed by Councillor Richard Morgan, Seconded by Councillor Richard Norris:

*'This Council notes:*

- *Large increases in HGV movements impact quality of life and increase noise, pollution and congestion in our local villages and towns.*

- *Tetbury has had 600 new homes built in the past 24 months and is already hopelessly congested where the A4135 enters the town. GCC highways data is out of date and does not reflect the significant changes to Tetbury traffic levels over the last few years.*
- *The area near Babdown Industrial Estate is a tourist hotspot with Calcot Manor, Tetbury High Street, Chavenage House, Westonbirt Arboretum, Highgrove, Great Tythe Barn, Kingscote Barn, Matara centre, Owlpen Manor all being major visitor destinations and important for the local economy. All will be adversely impacted by increased numbers of HGVs.*
- *Valley Trading operates in an area of limited commercial and residential activity. To justify an increase from 45,000 to 75,000 tonnes, they will need to travel further afield and collect waste from further away. This application will lead to a much wider impact on the rest of Cotswold District and neighbouring districts.*
- *At 75,000 tonnes, Valley Trading would be almost half the size of the new Javelin Park incinerator. The new incinerator has undergone almost a decade of scrutiny and analysis, yet the Valley Trading application could be approved quickly with limited public scrutiny.*

*This Council further notes that:*

- *Local residents don't understand the current operational size of Valley Trading and if the plant is currently operating at 45,000 tonnes or not. If not, the increase could be significantly larger than the proposed 30,000 tonnes. Despite efforts by local residents, the current capacity levels have not been clarified by the applicant.*
- *The Valley Trading application is in direct conflict with the Tetbury and Tetbury Upton Neighbourhood Plan. The Plan seeks to improve traffic conditions within the town centre and Objective 3 states "The town centre will be re-balanced to honour its historic heritage as well as its crucial shopping and meeting role and its environmental quality will be improved". Cotswold District Council is concerned that its Neighbourhood Plans are being ignored, which sets a dangerous precedent and could lead to more opportunistic planning applications.*
- *The 2004 Planning Act states that decisions must be made in accordance with the adopted Development Plan (in this case the Cotswold Local Plan and Gloucestershire Waste Core Strategy (GWCS)). As the Valley Trading application is over 50,000 tonnes, this is classified as "major development" and "strategic scale" in the GWCS. Policy GWCS4 states that a "Strategic Scale" development must be located in "Zone C" which is far beyond the current location of Valley Trading. Despite the fact the application has been submitted under s73 conditions, the Planning Authority has a legal duty to assess the development against these new policies and apply their full weight. If this is not scrutinised, Cotswold District Council is concerned this application could set a dangerous precedent and could lead to further opportunistic planning applications.*
- *Beverston and Tetbury are designated Conservation Areas inside the Area of Outstanding Natural Beauty (AONB). GWCS highlights that "rich historic environment" and "AONB" are important considerations in*

*terms of the location of new waste management facilities. Policy GWCS14 states that major development in the AONB must be in the "proven public interest" and planning permission granted in "exceptional circumstances" following the "most rigorous" examination. Cotswold District Council would argue this application is not being subjected to the "most rigorous examination".*

- *Valley Trading have indicated they are currently responsible for only 108 HGV movements on average per day, and this will only increase to 180 HGV movements per day once they hit 75,000 tonnes capacity. Local residents strongly disagree and local surveys have suggested Valley Trading are already responsible for up to 300 HGV movements per day. Cotswold District Council believes a proper analysis should be done to understand if the number of HGV movements is 108 or higher.*

*This Council resolves to:*

- *Seek clarification as to whether the Valley Trading application is in direct conflict with the Tetbury and Tetbury and Upton Neighbourhood Plans, and if it is, write to GCC questioning why the application has not been rejected on these grounds.*
- *Write to GCC seeking confirmation that, should the application be approved, the Valley Trading plant would be defined as a "major development" and of "strategic scale" by their own Waste Core Strategy and should therefore be located in Zone C (and it is not appropriate for its current location).*
- *Write to GCC and confirm Policy GWCS14 states that major development in AONB must be in the "proven public interest" and planning permission only granted in exceptional circumstances following the "most rigorous" examination. Furthermore the letter should state that Cotswold District Council does not feel this application is currently not being subjected to the "most rigorous" examination.*
- *Write to GCC and ask for a fully independent survey to be conducted over multiple random days to ascertain the exact level of HGV movements along the A4135 and how many of these movements are Valley Trading vehicles. Once the survey has taken place, these results should be made public.'*

(13) **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.

(14) **Exclusion of the Public and Press**

To consider, and if so agreed, to

RESOLVE that under Section 100A(4) of the Local Government Act 1972 the public and Press be excluded from the Meeting for the following item of business on the grounds that it involves likely disclosure of exempt information as defined in paragraph (3) of Part I of Schedule 12A to the said Act (Information relating to financial or business affairs) and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned.

**Item of Exempt Business  
for Consideration and Decision**

(15) **Property Matter**

(END)

COTSWOLD DISTRICT COUNCILCOUNCIL MEETING26<sup>TH</sup> FEBRUARY 2019Present:

Councillor Julian Beale	- Chairman
Councillor David Fowles	- Vice-Chairman

## Councillors -

SI Andrews	SG Hirst
AW Berry	RC Hughes
AR Brassington	Mrs. SL Jepson (until 2.00 p.m.)
T Cheung	RG Keeling
Sue Coakley	Juliet Layton
Alison Coggins	MGE MacKenzie-Charrington
PCB Coleman	RA Morgan (until 2.00 p.m.)
Andrew Doherty	Dilys Neill
RW Dutton	NJW Parsons
Jenny Forde	SDE Parsons (until 3.20 p.m.)
C Hancock	Tina Stevenson (until 2.30 p.m.)
JA Harris	Lynden Stowe
M Harris	R Theodoulou
Jenny Hincks (until 12.40 p.m.)	LR Wilkins

Apologies:

Mark F Annett	RL Hughes
Maggie Heaven	NP Robbins

CL.46 WELCOME

In opening the Meeting, the Chairman commented that, as this was the last Council Meeting of the year and also of the Council four-year term, he wished to extend his thanks to all Members and Officers for their general support over the term and also to him in his role as Chairman. The Chairman also extended his best wishes to those Members seeking re-election in May 2019 and to those Members who would be standing down from Council duties at the next Election.

The Chairman then read out a comment provided by Councillor M Harris which, he hoped, would apply throughout the proceedings:-

'Let our debating be reasoned and temperate, recognising that others may have a different point of view; and may we always remember our deliberations and decisions are for the benefit of other people'.

The Chairman also welcomed Members, Officers and members of the public and Press to the Meeting.

Councillor JA Harris, Leader of the Liberal Democrat Group, was then invited to address the Council. Councillor Harris wished to extend his thanks to the Chairman for being an 'even-handed' Chairman and for his service to the Council; in addition to Officers who had supported Members through the Council term. He added that whilst Councillors were often at the wrong end of public opinion, he considered that all Members, regardless of political opinion, served with the desire of improving the areas in which they lived. Councillor Harris concluded by extending his thanks to Councillor Tatyana Cheung, who would be standing down from Council duties at the May 2019 election, for his work on behalf of the Council.

#### CL.47 DECLARATIONS OF INTEREST

##### (1) Declarations by Members

There were no declarations of interest under the Code of Conduct for Members or Section 106 of the Local Government Finance Act 1992.

##### (2) Declarations by Officers

There were no declarations of interest under the Code of Conduct for Officers.

#### CL.48 MINUTES

**RESOLVED that the Minutes of the Meeting of the Council held on 11<sup>th</sup> December 2018 be approved as a correct record.**

**Record of Voting - for 27, against 0, abstentions 3, absent 4.**

#### CL.49 ANNOUNCEMENTS FROM THE CHAIRMAN, LEADER OR HEAD OF PAID SERVICE

(i) Honorary Alderman Mrs. MF Brown - the Chairman informed Members of the recent death of Honorary Alderman Mrs. Margaret Fullerton Brown, who had passed away on 15<sup>th</sup> February 2019. The Head of Paid Service reported that Mrs. Brown had been elected to the Council on 3<sup>rd</sup> May 1979, to represent the then Cirencester Chesterton Ward, and had served on the Council for 16 years until 1995. He explained that, in addition to every Committee of the Council, she had served on over 40 Sub-Committees and working groups; 12 outside bodies; and had held over 20 Chairman and Vice-Chairman roles within the Council, including as Chairman of the Council from 1993 to 1995. Mrs. Brown had been bestowed the title of Honorary Alderman by the Council in September 1995. The Head of Paid Service informed Members that the funeral service would take place on 4<sup>th</sup> March 2019 at St Andrews Church, Chedworth and that more information relating to the arrangements would be circulated to all Members.

Members and Officers, and others present, then stood for a period of silence in memory of, and in tribute to, Mrs. Brown.

(ii) Filming/Recording of Proceedings - the Chairman referred to the standing notification previously received from a member of the public of the intention to film the Council Meeting; and stated that, accordingly, the Council would make its own audio recording of the proceedings.

(iii) Motion 1/2019 re Garden/Waste Collections - the Chairman explained that this Motion would be debated as part of Agenda Item (11).

(iv) Member Briefing on Cirencester Car Parking - the Head of Paid Service informed Members that a briefing on parking in Cirencester presented by Council Officers would follow on from the conclusion of this Council Meeting and that all Members were invited to attend.

(v) Motion 7/2018 re North Cotswold Hospital - the Head of Paid Service explained that he had been informed that the Hospital was experiencing a temporary reduction in services, owing to resources being directed to larger health centres; and that the situation was being closely monitored by Gloucestershire County Council's Health and Care Overview and Scrutiny Committee. He also added that the Health Trust were looking at recruitment and a new workforce model around the community x-ray service and that the Trust had reaffirmed its commitment to community hospital provision across the County.

(vi) Motion 8/2018 re Household Recycling Centre Opening Hours - the Head of Paid Service explained that Gloucestershire County Councillor Nigel Moor had confirmed that the County Council's decision to reduce the opening hours of recycling centres had been taken with reluctance but in order to help protect the delivery of front-line services; although Councillor Moor had informed Officers that the comments made by this Council would be considered as part of any future review.

(vii) Spine Road, South Cerney - the Head of Paid Service explained that the Council had been unable to secure a speed limit restriction on the Spine Road, although improvements had been made to the road regarding re-surfacing and other matters. The position would, however, be kept under review.

There were no announcements from the Leader, other than him wishing to echo the comments made by the Chairman in regard to thanking all Members and Officers for their support and wishing Members well for the upcoming election or otherwise.

#### CL.50 PUBLIC QUESTIONS

In accordance with Council Procedure Rule 10, questions had been submitted, and responses provided, as follows:-

(1) From Mr. P Moylan of Cirencester to Councillor AW Berry, Leader of the Council

'In 2017, Park Community Group organised a panel debate about the local plan. This was an open meeting and was attended by hundreds of local people. CDC were represented on the panel by Christine Gore, Strategic Director. Everyone agreed that the debate was helpful and worthwhile.

With the local elections coming up in May, we would like to suggest that the council, specifically the Leader and selected prospective candidates including the opposition, take part in something similar,

thereby encouraging public engagement and demonstrating a laudable democratic intent. Would the council please undertake to discuss this with Park Community Group?’

Response from Councillor Berry

*I do not believe that it is right or proper for the Council to be involved with any ‘hustings’ that might be held in connection with the upcoming elections - it is vital for the Council, through its Returning Officer and his team, to be strictly neutral and impartial in seeking to deliver effective and well-run elections in which all those involved can be confident.*

*For my part, I would not be averse in principle to participate in such an event, but I would require more detail along with an assurance that similar opportunities would be afforded to any political party or, indeed, independent candidates that put themselves forward for election.*

Mr. Moylan commented that, on reflection, he considered the first part of his original question about the forthcoming elections to be rather clumsy and stated that he did not mean to suggest that Council Officers should be involved in any form of hustings, and that the response provided by Councillor Berry had emphasised that this would not be allowed to happen. Mr. Moylan stated that he was pleased that Councillor Berry was not adverse to a pre-election event and that he quite rightly would look for assurance that any and all party candidates and independents should be afforded the opportunity to be involved. By way of a supplementary question, Mr. Moylan asked if the meeting could be arranged as soon as practical and if the Chairman of the Park Community Group could also be involved.

The Leader responded that he would be pleased to arrange the meeting as soon as possible in conjunction with the Chairman of the Park Community Group.

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

‘The original deadline for the Chesterton S106 agreements was 10<sup>th</sup> July 2018. The council has granted several extensions to this deadline; and it is now eight months’ late. The public have not been informed and have been kept in the dark about this delay. Can the council tell us what aspects are causing this protracted delay? In answering, can the council let us know the situation regarding the Health Centre negotiations?’

Response from Councillor MacKenzie-Charrington

*The S106 negotiations are near completion with progress being made daily. The majority of the Schedules within the agreements have been agreed subject to the specific legal wording. The Primary Healthcare Schedule has been agreed. Positive discussions continue between BDL and the Phoenix Surgery for delivery on-site.*



*More generally, notwithstanding the fact that a 'completion date' had been identified in the original Council decision, that decision also clearly recognised that an extended period for finalising the legal agreements might be likely. This is not unusual for a complex large-scale development.*

*Progress has been regularly monitored by the Case Officer, and the determination period for the application has remained under continual review, with the Council responding to requests for extensions of time in a proportionate manner and on the merits of doing so at the time. The relevant correspondence is available on the planning portal.*

Mr. Moylan commented that the latest information contained on the Council's Planning Portal stated that the Section 106 agreements should have been completed by January 2019 with permission granted on 28<sup>th</sup> February 2019. By way of a supplementary question, Mr. Moylan asked if the date of 28<sup>th</sup> February was likely to be met, and when the public could see the agreement.

The Cabinet Member responded that the February 2019 date would not be met but that the Council was close to reaching a conclusion; and explained that, with a development of this scale, it was important the Council took the necessary precautions and time to ensure the information contained within the documents was correct.

(3) From Ms. M Cobbett of Cirencester to Councillor AW Berry, Leader of the Council

'CDC's Corporate Strategy Document 2016-19 states that Cotswold District Council wants to be recognised as the most efficient Council in the country.

Its Priorities are to:

- Provide high quality services at the lowest possible cost to Council Taxpayers;
- Protect and enhance the local environment whilst supporting economic growth;
- Champion issues which are important to local people.

That third Priority includes the following statement:

'We aim to improve people's quality of life by finding ways of maintaining and supporting the infrastructure, services and facilities that communities need.'

I support these priorities and as is appropriate to ensure they are met, the Overview and Scrutiny Committee established indicators to measure the council's performance.

These are laudable and CDC has shown great success in meeting their targets.

I would ask the Council members though whether it is not important to monitor the Council's performance against their stated aim, to improve

people's quality of life, using indicators set by an outside independent statutory body.

The Government's Social Mobility Commission is one such body. As I am sure members are aware in the State of the Nation Report 2017 Cotswold was ranked 322 out of 324 local authorities in terms of youth 19-25 year olds social mobility. Essentially, this report is saying if you are born in poverty in the Cotswolds, you as a young person are likely to stay there.

We as residents, and you as our elected representatives, cannot let this situation continue. This Commission's report for this year is about to be released and when it is, will the Council commit to reviewing our performance again, develop strategies to support our young people and set indicators to monitor progress?

Response from Councillor Berry

*In short, yes.*

*We are committed to working alongside our public sector colleagues to address the root causes impacting on social mobility in our District and our County. We recognise this needs a multi-agency approach, and a county-wide social mobility group has been established to develop a deeper and proper understanding of the root causes, and to take forward some actions which will positively impact on social mobility, for the long term.*

*Work is underway to ensure that we have a bank of evidenced data across a wide range of issues that impact on the District and its communities to help inform the Council's Corporate Strategy for 2019-2023 and there is recognition that the performance framework that will sit alongside this Strategy should include indicators from other bodies too.*

*This will reflect that there is a collective responsibility to make the Cotswold District an even better place; and social mobility is a prime example of this shared accountability.*

*Whilst we absolutely recognise the need to improve social mobility, we should not forget that this is just one factor in determining the 'quality of life' for our residents and there are many other components that are important to people. The Halifax Bank have been tracking a broad basket of indicators over many years - not just picking on one particular aspect. In their latest release of results for 2019, Cotswold District ranked as the seventh best place to live in the UK (up from 43<sup>rd</sup> place in 2017) and the best place in the entire South West region.*

*We should celebrate all that is good about living within Cotswold District whilst also recognising that there are always areas of improvement.*

Ms. Cobbett thanked Councillor Berry for his response and explained that she was delighted to hear about the work of the County Council group. By way of a supplementary question, Ms. Cobbett asked who served on the group and

represented the Council; and, in addition, if the reports, minutes and meetings of the group were available/open to the public.

The Leader would research and provide this information to Ms. Cobbett in due course after the Meeting.

(4) From Ms. C Bloomer of Cirencester to Councillor AW Berry, Leader of the Council

'At this Council meeting last year the then Leader told me that "the Council would continue to work with town councils, Gloucestershire County Council and all other interested bodies to explore opportunities for the provision and/or improvement of bus services.'

What work has this Council done to improve bus services over the last year?'

Response from Councillor Berry

*Public transport provision represents a difficult challenge for local authorities - both operationally and financially - especially in rural areas but even in urban ones.*

*Responsibility for the provision of bus services is vested in the County Council. The main way in which we as a District Council can influence matters is through our adopted Local Plan, and securing developer contributions towards provision, where appropriate, in the approval of applications. Local Plan Policy INF3, which supports development that assists the delivery of the County Council's Local Transport Plan, enables the Council to guide development to those locations that actively support travel choices through the enhancement and promotion of safe and recognisable connections to existing walking, cycling and public transport networks.*

*By way of an example of this - within the S106 agreement with the County Council relating to the development of the Chesterton strategic site, the developer is required to make a contribution of £1,836,912 towards public transport.*

*Insofar as Cirencester is concerned, the Town Centre Master Plan seeks to help realise the ambitions of the Local Plan. This will provide a forum and mechanism to look at the town holistically and across a wide range of issues, including traffic and public transport - indeed, opportunities for a purpose-built public transport hub/interchange in the Southway - Forum area have already been identified in the adopted Local Plan (Policy S3). The Master Plan work is a partnership venture with the Town Council, which could also benefit from the work being undertaken on the Cirencester Futures initiative. Details are available at [www.cirencesterfutures.org.uk](http://www.cirencesterfutures.org.uk)*

*More generally, the Council will seek to respond to any diminution of current services and, with others, explore opportunities for the provision and/or improvement of bus services.*

Ms. Bloomer was present at the Meeting, but did not wish to ask a supplementary question.

- (5) From Mr. G Selwyn of Cirencester to Councillor AW Berry, Leader of the Council

'There are local elections this May. What steps are the Council taking to encourage full-time employed people to consider standing at these elections?

Does the Council recognise that this meeting, and all other meetings of this Council, are scheduled during the working day? Many excellent potential Councillors need to work full time, and would be unable to consider standing.

Has the Council considered changing the times of meetings to enable working people to play a role in helping their communities?'

Response from Councillor Berry

*As I have previously stated, I believe it is important that the Council is not seen to be seeking to influence the democratic election process. As such, while I consider it vital that we make it easy for people who want to stand for election to find out how to get involved, what the rules are, and what they have to do to comply with those rules, I do not believe that, as a Council, we should seek to influence the profile of candidates.*

*I know that the Council, through its returning Officer and Elections Team, will make available a wide range of information, via different channels, and also to hold events for prospective councillors.*

*In an ideal world, local communities would be represented by a diverse pool of councillors - quality individuals who are capable, vibrant, energetic and engaged, and with a commitment to local people.*

*It should also be remembered that what might be a barrier to one prospective candidate actually helps another, including the issue you have raised.*

*There is nothing in our Constitution that dictates the timing of any of our meetings. This enables the greatest flexibility and also allows each committee etc. to determine its own start times, based on a number of factors including the specific needs of its membership as well as operational issues. This is also true of Council Meetings.*

*In summary, I think it would not be appropriate for the 'old' council to try to dictate to the 'new' and believe that the existing approach provides the greatest flexibility for all.*

Mr. Selwyn was not present at the Meeting.

- (6) From Ms. L Spivey of Preston to Councillor SG Hirst, Cabinet Member for Housing, Health and Leisure

'I have been hearing a lot about local crime in the villages near me - Ampney Crucis, Poulton, Down Ampney - and would like to know what Cotswold District Council are doing to help the Police in tackling rural crime in the Cotswolds?'

Response from Councillor Hirst

*Cotswold District Council, along with other partners including the Police, is part of the Cotswold Community Safety Partnership which aims to reduce crime, anti-social behaviour and the fear of crime. The partnership's work is action-led and the sharing of resources supports a joined-up approach to tackling rural crime.*

*Gloucestershire Police has dedicated rural beat officers throughout the County and the Council provides support in running joint operations, for example roadside checks for detecting fly-tipping and waste carrier licence offences.*

*The Police team comprises four Rural Crime Officers, one in each rural policing area, supported by 23 Rural and Environmental Crime Officers (RECLOs) and volunteers. Their role is to prevent, detect and investigate incidents of rural and wildlife crime and they will be working with members of the community and partner agencies.*

*The Council's Community Safety Officer and Environmental Wardens attend regular meetings with Gloucestershire Police to discuss rural crime, cross boarder crime and how best it can be reduced by working together in partnership.*

*Whilst there may occasionally be spikes in criminal activity, we should rest assured that Cotswold's police reported crime rates are the second lowest in the county, based on 2017/18 data; and The Ampneys & Hampton Ward has one of the lowest rates of crime in the district.*

Ms. Spivey was not present at the Meeting.

- (7) From Mrs. N Ind of Tetbury to Councillor SG Hirst, Cabinet Member for Housing, Health and Leisure

'How are Cotswold District Council going to assist communities in providing Day Centre facilities for the elderly, to help combat loneliness?'

Is there any support available towards counselling/mentoring for our young people within the District, to improve their mental health?'

Response from Councillor Hirst

*The provision of day centre facilities is outside of this Council's remit. We do however provide some funding to organisations that provide*

*community services for older people and organisations who recruit older people as volunteers to support others.*

*This Council recognises the pressures in Gloucestershire County Council's social care system and sees its impact on residents in the locality. We are committed to working with partners and communities themselves to find sustainable and local means to support older people.*

*Through youth activities funding, many small groups and organisations have been supported and have provided support for young people in terms of mentoring. It is not likely that the Council will fund counselling as such - but is more likely to help with less formal support opportunities. The Council made funding of approximately £40,000 available in 2018/19 specifically for young people, and we are committed to continue to support youth activities.*

Mrs. Ind thanked Councillor Hirst for his response. By way of a supplementary question, she asked if the Council, in recognising that the issues facing rural areas were not likely to reduce over time, would consider these areas when reviewing provision across the District, particularly in regard to mental health needs in the District's rural communities for both elderly and young people.

The Cabinet Member responded that rural areas were just as important as urban areas, and acknowledged that there were problems in rural areas in regard to social isolation and rural transport. He added that there were groups operated by the County Council which were currently working to address these issues in the future.

(8) From Mr. C Webster of Moreton-in-Marsh to Councillor AW Berry, Leader of the Council

'ANPR cameras reduce dangerous speeding through towns and villages, as has been proven in Rodborough and Whiteshill (Stroud District). Moreton-in-Marsh Town Council is currently considering funding for up to two cameras, while Bourton-on-the-Water Parish Council will be installing a unit soon.

However, while Gloucestershire Constabulary is overwhelmingly supportive of ANPR cameras, it offers no funding for the £9k capital cost and £1k/year operating cost. Gloucestershire Highways offers 50% match-funding for the capital cost only. This could still make the system unaffordable for smaller parishes that nonetheless suffer excessive and hazardous speeding. For example, 24 speeders were caught in Bourton-on-the-Hill last month according to the latest Police figures, with speeds of up to 48mph in a 30mph zone.

Would Cotswold District Council therefore consider full or partial funding for ANPR cameras in smaller parishes, with the aim of not only making village through-roads safer, but placing ANPR cameras in locations of strategic value?'

Response from Councillor Berry

*The Council recognises the need to improve road safety on our District's roads, of which speeding is a significant factor. Whilst the Council cannot commit to any ongoing operating costs, I will refer the request for support towards the capital cost to the Community Safety Partnership. Given the costs involved and the mobile nature of ANPR technology, I will suggest one or two units be considered, to be shared across the District, as opposed to a per parish basis.*

*It is pleasing to see community interest in this important issue and this practical guide to improving road safety in Gloucestershire has some excellent ideas to consider, all designed to influence driver behaviour and contribute to a reduction in speeding on our roads:-*

<http://www.grcc.org.uk/downloads/community-assets-and-services/2017.08-grcc-cars-toolkit-2017.pdf>

*Another option you may wish to consider is a Community Speed Watch group, which I understand have proved successful in other parishes, and are much cheaper and involve local participation.*

Mr. Webster was not present at the Meeting, but had written to thank the Leader for his response.

- (9) From Mr. D Bowie of Upper Rissington to Councillor MGE MacKenzie-Charrington, Cabinet Member for Planning and Licensing Services and Cirencester Car Parking Project

'What additional budget/resource for 2019/20 have you included in the planning and enforcement team to deal with the contamination issues that have been discovered at the Upper Rissington and Bourton-on-the-Water housing sites and may be evident elsewhere in the District Council's area?'

Response from Councillor MacKenzie-Charrington

*Managers within the Planning & Enforcement Team and within Environmental & Regulatory Services monitor and review resources and workloads within the teams to ensure that the Council is able to deliver good quality services to our communities. Currently, the teams are appropriately resourced to handle any matters associated with the Council's responsibilities for contaminated land investigation, remediation and planning enforcement; and there is therefore no need to allocate additional budget or resources to the services. This has been helped by a budget proposal to make permanent a previously temporary planning enforcement post. We will of course keep the situation under review and respond if appropriate.*

By way of a supplementary question, Mr. Bowie asked in what way could resources be said to be adequate, given that Enforcement Officers were still not able to provide timely answers to questions of enforcement; and, in addition, asked what experience Enforcement Officers had in respect of contamination issues.

In response, the Cabinet Member stated that the question related to a specific issue at Upper Rissington and once the developers had provided a final report, the Council could undertake a peer review of the report to ensure the site was in the right condition and that there was no on-going risk. With regard to Enforcement Officers, the Cabinet Member added that the Council's Enforcement Team was fully staffed, but that external advice was needed in regard to the site situation at Upper Rissington.

- (10) From Mr. D Bowie of Upper Rissington to Councillor AW Berry, Leader of the Council

'What revised governance arrangements have been finalised for Upper Rissington parish that will take effect in time for parish council elections on the 2nd May 2019.'

Response from Councillor Berry

*A decision on this issue will be taken at this Meeting (agenda item (15) refers).*

Mr. Bowie was present at the Meeting, but did not wish to ask a supplementary question.

**CL.51 MEMBER QUESTIONS**

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

- (1) From Councillor RW Dutton to Councillor Sue Coakley, Cabinet Member for Environment

'The ambitious flood relief scheme for Moreton has now been successfully completed. This was a major achievement, not completed without difficulty, and I take this opportunity on behalf of the residents of Moreton to thank you and all those who brought the Scheme to fruition. It is now anticipated that the Scheme will make a significant contribution to avoiding a repeat of the disastrous flooding that occurred in the town in 2007. It is of course recognised that it will be important to monitor and maintain the Scheme, which is quite extensive in scale. Many residents in Moreton much appreciate what has been achieved.

Will the Cabinet Member now please summarise the total cost of the Scheme and indicate how this cost has been borne. I understand some final payments may still be under discussion but, for the purposes of your answer, please make a round sum allowance for these within your response.'

Response from Councillor Coakley

*Since 2012, a series of flood prevention works have been carried out at Moreton-in-Marsh, mostly in response to the flooding of 2007. Those works have included property level protection, new culverts under the public highway and road bridge, diversion of drainage ditches, new surface water drains, a flood defence bund, watercourse*



*de-silting and vegetation clearance, new headwalls and trash screens, new culverts in field drainage systems and a new surface water diversion pipeline.*

*Moreton had this series of works carried out to achieve a general level of flood protection, primarily for the areas that suffered in 2007 but also for the general area of the town.*

*Since 2012, £1.3 million has been spent on flood defence work for the settlement. The final pipeline cost was estimated at over £900,000, including landowner compensation, land agent and legal costs.*

*The final cost is expected to rise by at least another £20,000 to cover the cost of the final land reinstatement claim being negotiated. That money has been ring-fenced in the CDC flood defence reserves.*

*The partners involved and their contributions are as follows:*

- |                                  |          |
|----------------------------------|----------|
| • Cotswold District Council      | £660,782 |
| • Gloucestershire County Council | £458,710 |
| • Environment Agency             | £160,000 |
| • Moreton-in-Marsh Town Council  | £20,000  |

Councillor Dutton thanked the Cabinet Member for her response and commented that he also wished to thank her predecessors for bringing the relief scheme to a conclusion, which had been a huge benefit to the town of Moreton-in-Marsh, and also extended his thanks to Council Officer Laurence King who had designed the plan. By way of a supplementary question, he asked if, given the complexity of the scheme, the Cabinet Member could formally confirm that the Council was committed to maintaining the scheme.

The Cabinet Member responded that the Council was committed to maintaining the scheme.

(2) From Councillor Jenny Hincks to Councillor AW Berry, Leader of the Council

Can the Leader please tell me why CDC had not been liaising with GCC Highways about the resurfacing of Ashcroft Road until 4<sup>th</sup> February? I, as a town councillor, knew some time before that, and had been in communication with Highways, including the lead engineer, with concerns from residents and local businesses about the road being closed for nearly a week.'

Response from Councillor Berry

*The Council became aware of the potential resurfacing works back in mid-December, through notification of a much wider programme of works over a broad period.*

*However, unlike affected residents and businesses, we did not subsequently receive any notification of the confirmed works or dates (as no connection had been made regarding the car park usage, and it was apparently not known that we owned and operated the car park).*

*Our Officers became aware of the actual dates by way of a request from a local business, forwarded on by one of our members, for us to make available some spaces in a nearby car park for his staff to use during the period of the works.*

*As soon as the situation was known, our Officers contacted the County Council to see what might be done to find a way of minimising the impact on traders in the town and visitors, as well as reducing the potential traffic chaos arising from the displacement of around 1,000 cars each day into the surrounding areas of Cirencester.*

*A number of options were suggested and explored and, within the week, a solution had been secured - namely to move the work to a number of consecutive Sundays. As soon as this had been achieved, we issued a Press Release; and the following day (a Saturday), we hand delivered letters to the affected residents, businesses and organisations.*

*I am grateful to the swift response of our Officers, and of the collaboration of County officials to enable a solution - they are to be commended. We have also received a positive response to our initiative and actions, particularly from businesses.*

Councillor Hincks thanked the Leader for his response and commented that she considered it surprising that both authorities were not in regular communication in regard to resurfacing of roads in the District. Councillor Hincks wished to extend her thanks to Officers for taking the time to deliver the letters and, by way of a supplementary question, asked what steps the Council would take to ensure better communication was in place between the Council and Gloucestershire County Council.

The Leader responded that owing to the way in which the County Council communicated their planned works, it was difficult to take particular note of individual works and that the County Council had not made contact with any Officers at the Council since publication of the planned works list. The Leader also wished to thank the Officers who had acted promptly and confirmed that the Council would seek to look at more effective approaches moving forward.

(3) From Councillor Jenny Hincks to Councillor AW Berry, Leader of the Council

'Can the Cabinet Member please tell me why a person with disabilities cannot access public toilets in the Cotswold area with their RADAR key?'

Note:

*This question had been withdrawn by Councillor Hincks as the problem identified was a short-term issue that had been resolved.*

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

'A resident has approached me concerned about charges for building control services at this Council.

He was quoted £1,198 for a pre application meeting, a plan check, consultation with the fire service and issue of completion certificate.

His agent thought this was excessive and sought an alternative quote from another local source and was quoted £450.

Can the Leader explain why Publica is charging nearly three times as much as another local firm for an identical service?

On the face of it, it appears that local taxpayers are being ripped off by Publica. How can we ensure that CDC isn't being treated in the same way?'

Response from Councillor Berry

*The first point that I need to make is that both service standards and fees and charges for any of the services provided by the Council, either direct or via Publica, are set by Council Members, either collectively or by individual Cabinet Members.*

*As Members will be aware, the Building Control Service operates in a commercial market, with Authorised Officers able to provide local services. We are also aware that the services offered can vary considerably and so, without knowing the specific detail, it is not possible to explain the variation. However, we would be happy to look into the matter if you could provide us with more information.*

*I would wish to conclude by expressing regret at your choice of language, especially with regards Publica. Publica is our company, and represents an innovative way forward to help the Council meet its financial and other targets in the future. There is no 'ripping off' - indeed, not only has Publica met its financial targets but it has managed to exceed them, for our benefit and for the benefit of the District and all those who live and work here. Perhaps you might wish to reflect on your comments.*

Councillor Harris thanked the Leader for his response and explained that, in regard to being asked to reflect on his words, such words were the actual words of residents of the District. Whilst noting that the Council had achieved its targets, Councillor Harris commented that this was not surprising if the charges applied by the Council were high in comparison to other providers. By way of a supplementary question, he asked if the Leader agreed that the people of the Cotswolds deserved better.

The Leader responded that he could not answer any specific questions relating to individual matters but that it was important that these individual 'incidents' were reviewed to ensure that lessons were learnt from any potential mistakes made.

(5) From Councillor Andrew Doherty to Councillor AW Berry, Leader of the Council

'The Cotswolds was recently ranked joint last (out of the authorities in the area) in a BBC Newsbeat study of "How good is your place for young people?'

What steps will the council be taking to improve that performance and address the issues that particularly affect the under 25s in our community?'

Response from Councillor Berry

*Whilst this Council is not the statutory body responsible for youth services and nor do we have direct influence on many of the factors that led to this ranking - such as bus services, wild land (not farmland or parks), or bars, pubs and clubs - we acknowledge there is more to do.*

*With the reduction in public sector funding over the past ten years, we have seen a reduction in youth services and a refocus to a more targeted approach to serving the most vulnerable.*

*In recognition of these challenges, this Council has established the Cotswold Youth network with over 200 organisations registered. The Council is investing in activities both small and large scale across the District. The Health Connect project in Bourton will see a youth council developed and piloted to see its effect, along with a skills-based outdoor education programme in conjunction with Gloucestershire Wildlife Trust, for young people not set on an academic path.*

*As with many of the key issues affecting our District, a collaborative approach with our partners will have the greatest impact on this issue.*

Councillor Doherty thanked the Leader for his response and expressed concern that the Council did not see the matter as a priority despite it being incumbent upon Councillors to take a role. By way of a supplementary question, Councillor Doherty asked if the Leader could provide specific examples of the large scale activities that were planned and had been referred to.

The Leader responded that he would need to provide a full response to Councillor Doherty after the Meeting, but that it was a well-raised point and one that the Council would be taking seriously in the future.

(6) From Councillor AR Brassington to Councillor AW Berry, Leader of the Council

'When the 'provisional' planning permission for Chesterton Farm was granted by Council in January 2018, the S106 arrangements were to be completed by 12<sup>th</sup> July 2018.

As planning officers have granted FOUR extensions to the developer on this deadline - without any reference to full Council - will those permissions be lapsing on 28<sup>th</sup> February 2019?

Response from Councillor Berry

*A further extension of time may be requested, and considered, if the S106 Agreements have not been completed and signed by 28<sup>th</sup> February. Extensions of time fall to be considered by the Case Officer. The drafting of the S106 Agreements is in accordance with the Head of Terms agreed at the Special Council Meeting on 16<sup>th</sup> January 2018 and there are no new or altered material considerations that would require the Full Council to reconsider the application.*

*The S106 negotiations are near completion, with progress being made daily. The majority of the Schedules within the agreements have been agreed subject to the specific legal wording.*

*More generally, notwithstanding the fact that a 'completion date' had been identified in the original Council decision, that decision also clearly recognised that an extended period for finalising the legal agreements might be likely. This is not unusual for a complex large-scale development.*

*Progress has been regularly monitored by the Case Officer, and the determination period for the application has remained under continual review, with the Council responding to requests for extensions of time in a proportionate manner and on the merits of doing so at the time. The relevant correspondence is available on the planning portal.*

By way of a supplementary question, Councillor Brassington asked whether, given the complex nature of the Chesterton development, there would be a Council Officer designated to ensure that the Chesterton application was complied with in full.

In response, the Leader confirmed that an Officer would have responsibility to manage the Chesterton application.

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

*'In September I asked about street signs in the District and you said "I am happy to look at the cost of having the frames painted for all new signs that are installed. If this results in any significant budgetary impacts, a report will be brought back to Members for decision.*

What is the latest on this?'

Response from Councillor Coakley

*This issue is part of a current wider piece of work to establish how we best deal with street sign provision (including budget implications), which we hope to have concluded by the end of March.*

Councillor Brassington did not wish to ask a supplementary question.

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

'Please can you tell me how many instances of fly tipping there have been in my ward since the last Council meeting in December?'

Response from Councillor Coakley

*There has been one instance of fly tipping reported in the Chedworth & Churn Valley Ward since the last Council Meeting.*

Councillor Forde thanked the Cabinet Member for her response and did not wish to ask a supplementary question.

(9) From Councillor Jenny Forde to Councillor AW Berry, Leader of the Council

'You might be aware that I've started a campaign with County Councillor Paul Hodgkinson to secure a safer crossing over the A435 at North Cerney.

In order to access North Cerney Church for their morning worship, pupils at the village primary school have to cross the busy road using a police escort to hold the traffic. This isn't a good use of police resources and is dangerous.

Does the Leader support my campaign and what can Cotswold District Council do to help make it a reality?'

Response from Councillor Berry

*I would agree on both fronts - that this is dangerous and not a good use of police resources.*

*I know that, some time ago, there was a reduction in the speed limit on the A435 at North Cerney - but do not know whether the situation to which you now refer applied at that time and therefore may have been a consideration in the decision to reduce that speed limit.*

*However, if this is not a long-standing issue, I would presume the school's leadership will have taken these factors into account in arriving at the decision to hold morning worship at North Cerney Church.*

*Nevertheless, in view of the safety aspects, I would be happy to write, on behalf of the Council, to Gloucestershire County Council Highways to ask what measures they can consider/implement.*

Councillor Forde thanked the Leader for his response and for his offer to write a letter to the County Council. By way of a supplementary question, she requested that a copy of the letter also be sent to the Reverend of the Parish, who was also the Chairman of the School Governors.

The Leader responded that he would be happy to do as requested by Councillor Forde.

(10) From Councillor JA Harris to Councillor AW Berry, Leader of the Council

'What plans do the Conservative administration have to help tackle social mobility in the Cotswolds?'

Response from Councillor Berry

*We recognise this is a complex issue, with a range of factors that need to be addressed. With the exception of Stroud, all Gloucestershire districts were ranked in the bottom half of England for the social mobility rankings in the State of the Nation 2017 report.*

*We are committed to working alongside our public sector colleagues to address the root causes impacting on social mobility in our District and our County. We recognise this needs a multi-agency approach, and a county-wide social mobility group has been established to develop a deeper and proper understanding of these root causes, and to take forward some actions which will positively impact on social mobility, for the long term.*

*Cotswold ranked especially poorly for youth and some of the things we've already put in place are detailed in my response to Councillor Doherty's earlier question. There is clearly a need to address the number of young people not in education, employment or training after completing their compulsory education, so we plan a continued focus to drive economic development by working with the LEP to remove barriers to the delivery of new employment activity.*

*Work is underway to ensure that we have a bank of evidenced data across a wide range of issues that impact on the District and its communities to help inform the Council's Corporate Strategy for 2019-2023. That Strategy will include the positive actions we can take that contribute to improved social mobility - both directly and through representation to partners.*

*There is a collective responsibility to make the Cotswold District an even better place; and social mobility is a prime example of this shared accountability.*

*Whilst we absolutely recognise the need to improve social mobility, we should not forget that this is just one factor in determining the 'quality of life' for our residents and there are many other components that are important to people. The Halifax Bank have been tracking a broad basket of indicators over many years - not just picking on one particular aspect. In their latest release of results for 2019, Cotswold District ranked as the seventh best place to live in the UK (up from 43<sup>rd</sup> place in 2017) and the best place in the entire South West region.*

*We should celebrate all that is good about living within Cotswold District whilst also recognising that there are always areas of improvement.*

Councillor Harris thanked the Leader for his response and commented that social mobility and isolation were two of the biggest issues facing the District. He added that residents wanted to see action and leadership and, by way of a supplementary question, asked what the Conservative plans for tackling social mobility in the District were.

The Leader thanked Councillor Harris for his supplementary question and responded that he hoped both parties could work together in the future to ensure the issue was dealt with across the services the Council could deliver, and those that were also the responsibility of higher authorities.

(11) From Councillor JA Harris to Councillor AW Berry, Leader of the Council

'Will the Leader condemn the behaviour of Aura Care Ltd in their contravention of planning conditions, in particular marketing Stratton Care Village widely on hotel websites?'

Response from Councillor Berry

*I would hope that any developer would comply with the conditions/restrictions imposed on planning permissions but, unfortunately and as we all know, this is not always the case. Similar, we will all be aware of developers that carry out work without even applying for permission.*

*Neither is lawful, and developers do so at their own risk. If such instances are made known to us, then it falls on us to determine the expediency of action, having regard to the requirements and parameters of planning legislation and guidance.*

Councillor Harris expressed his view that Stratton Court had lied to residents and Councillors, and understood that the Leader had received an email from Sir Geoffrey Clifton Brown MP requesting him to treat Stratton Court favourably as a new development in Cirencester. By way of a supplementary question, he asked if the Leader could confirm if the Applicants or Developers of Stratton Court had made any donations to the Cotswolds Conservative Group, the national party or any other local group branches.

The Leader responded that the extract taken from the letter from Sir Geoffrey should be taken in context and explained that he would find out if any donations had been made; but confirmed that Aura Care Ltd had sponsored an award in relation to the recent Chairman's Awards Evening organised by the Council in November 2018.

CL.52 PETITIONS

No petitions had been received.



**CL.53 COUNCIL TAX SUPPORT SCHEME FOR 2019/20**

The Council received the results of the public consultation on proposals for revising the current Council Tax Support scheme with effect from 1<sup>st</sup> April 2019; and was asked to consider and agree a scheme for 2019/20 having regard to the recommendations of the Cabinet.

The Leader of the Council introduced the report, which related to supporting the reduction of Council Tax to those on benefit, and explained that the key change was the introduction of a banded scheme involving a simple flat rate percentage discount award dependent upon weekly net income. The Leader drew attention to concerns previously expressed by the Citizens Advice Bureau (CAB) in relation to the monetary differentials across the bands, but explained that the CAB was content for the suggested bands to be applied for the coming year, subject to their monitoring and review as part of the following year's scheme. The Leader also referred to the fact that Child Maintenance payments would be ignored when calculating income. The Leader then Proposed the Cabinet Recommendations for approval.

In seconding the Proposition, the Cabinet Member for Housing, Health and Leisure explained that the Council should now support the Scheme wholeheartedly as previous issues relating to the inclusion of Child Maintenance payment had been addressed.

A Member expressed his delight that the Scheme had come forward and commented that it was important that the Council was responsive to changing circumstances and challenge. He added that the Council should never seek to make savings from the poorest residents in the District and that it was important that the Cabinet continued to keep reviewing this item.

In response to specific Member questions, it was reported that the various protected groups of claimants had been dealt with through different mechanisms; there was an assurance through public record of Cabinet Meetings that those in receipt of Personal Independence Payments (PIPs) would receive protected status and would not be disadvantaged; the bandings has been agreed for the first year and would be reviewed thereafter; and the 135 customers across the District who had been affected by the previous decision to include child maintenance as income, had since been financially recompensed by the Council.

**RESOLVED that:**

**(a) the current Council Tax Support Scheme in relation to Working Age claimants, including any uprating, be amended as follows for 2019/20:-**

**(i) by introducing a banded scheme which would see a simple flat rate percentage discount awarded, depending on a person's total weekly 'net' income, as follows:-**

<b>Household weekly net income</b>	<b>% council tax support available</b>
<b>£0 - £125.99</b>	<b>100%</b>

<b>£126 - £187.99</b>	<b>75%</b>
<b>£188 - £290.99</b>	<b>50%</b>
<b>£291 - £384.99</b>	<b>25%</b>
<b>£385 +</b>	<b>0%</b>

**(ii) by ignoring all child maintenance payments when calculating weekly income;**

**(b) that those defined as disabled and those in receipt of War Widows Pension and/or War Disablement Pension be protected from all of the above changes.**

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

**CL.54 PROPOSALS FOR CHANGES TO LOCAL COUNCIL TAX PREMIUMS**

The Council was requested to consider proposals for changes to Long Term Empty Property Premiums, as recommended by the Cabinet.

The Leader of the Council introduced the report and explained that, following changes introduced by the Government, the Council would now be able to charge higher premiums in respect of long-term empty properties. The Leader added that the Council did not want to encourage long-term empty properties when there was such a high demand for housing within the District, and commended the recommendation of the Cabinet to Council for approval.

A Member expressed his support for the proposals and enquired as to the key risks in regard to enforcing the changes, given the recent pressures facing the Council's Planning and Enforcement departments. In response, the Leader explained that the Council held a very good record of collecting Council Tax and that Members should take some confidence from this and in the work of Officers.

Another Member enquired as to empty properties under the management of Housing Associations within the District and if these would also be included under the changes and, in addition, requested that the Council look at the possibility of charging for second homes which were only occupied for limited times of the year.

The Leader of the Council responded that homes under Housing Associations would fall under the changes but that some homes were regularly rented out as holiday homes, which brought a good level of tourism and business into the District.

The Chairman highlighted to Members that the responsibility should lie with the Ward Members with their local knowledge of any empty properties to report the properties to Officers as Officers could not be expected to be aware of every empty property within the District.

The Cabinet Member for Housing, Health and Leisure informed Members that the Council had recently appointed two Officers across the joint council

partnership to help assist with the management and overseeing of empty properties across the relevant Districts.

**RESOLVED that the Long Term Empty Property Premium (currently set at 50%) be:-**

- (a) increased to 100% from 1<sup>st</sup> April 2019 for those properties which are/have been empty for two years and over;**
- (b) increased to 200% from 1<sup>st</sup> April 2020 for those properties which are/have been empty for five years and over;**
- (c) increased to 300% from 1<sup>st</sup> April 2021 for those properties which are/have been empty for 10 years and over.**

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

**CL.55 PROPOSALS FOR COUNCIL TAX DISCOUNTS FOR CARE LEAVERS**

The Council was requested to consider proposals to apply council tax discounts for care leavers (as recommended by the Cabinet).

The Leader of the Council introduced the report and explained that the proposals would assist young people leaving care, helping vulnerable people within the District to live independently. The Leader then commended the Cabinet recommendations for approval.

Councillor JA Harris Proposed an Amendment in regard to care leavers being made exempt from Council Tax up to at least the age of 25, as opposed to the current age of up to 21 years. In doing so, he expressed the view that whilst a fantastic step, the discounts should continue for those up to 25 years of age to bring the Council in line with government recommendations as outlined in the Keeping on Caring report.

Councillor Forde Seconded the Amendment, and commented that there was little known about care leavers but they were an important group in society and the increase of exemption to those of 25 years of age was not unreasonable.

A Member commented that a boundary had to be drawn somewhere and that there was no valid reason presented by the Proposer and Secunder of the Amendment as to why 21 years of age should be amended to 25 and to therefore warrant a change in the Cabinet recommendation.

The Chief Finance Officer informed Members that the eventual decision lay with Members and that 21 was the age agreed by the County Council and all District authorities across the County. She also highlighted that an increase to 25 years may result in this Council having to solely provide funding for the additional four years, given the County Council had only agreed funding provision for up to 21 years of age; and that this could possibly present a financial risk to this Council in the future.

In response to a specific Member's question, the Chief Finance Officer explained that the cost of the existing proposal was not known as the number of care leavers within the District was not known, but confirmed that the

number was estimated to be around 12 and therefore the financial impact would be considered to be small.

Another Member commented that there would be flexibility within the proposals and explained that he considered the Council could extend the discount to a higher age than 21 if individual cases warranted it.

The Cabinet Member for Enterprise and Partnerships Proposed a Further Amendment. In doing so, he explained that some authorities within the District may have already agreed to granting discounts up to 21 years of age, this being the level which had the support of the County Council and that his amendment related to approving the proposals as recommended and then asking all participating authorities if 21 years of age was the correct level and if there was the potential to increase this age level.

The Cabinet Member for Environment Seconded the Further Amendment. She explained that care leavers would be exempt until the date of their 22<sup>nd</sup> birthday and that this was deemed acceptable.

The Chairman informed Members that procedurally, a vote would firstly be taken on the Amendment as Proposed by Councillor JA Harris and Seconded by Councillor Layton, but informed Members that progress could be made at the Meeting, given the general unanimous support for the proposals.

In summarising his Proposition, Councillor Harris explained that the Council had the opportunity to 'do better' than the other councils within the county and that the all-party parliamentary group and the Children's Society had both recommended an age of 25 years of age for Council Tax discount.

In accordance with Council Procedure Rule 16.6, a recorded vote was requested in respect of the Amendment; and this request was supported by the requisite number of Members.

On being put to the vote, the AMENDMENT was LOST.

Note:

The Record of Voting was as follows:-

For: - Councillors AR Brassington, T Cheung, PCB Coleman, Andrew Doherty, Jenny Forde, JA Harris, M Harris, Jenny Hincks, RC Hughes, Juliet Layton, Dilys Neill - Total 11;

Against: - Councillors SI Andrews, Julian Beale, AW Berry, Sue Coakley, Alison Coggins, RW Dutton, David Fowles, C Hancock, SG Hirst, Mrs. SL Jepson, RG Keeling, MGE MacKenzie-Charrington, RA Morgan, NJW Parsons, SDE Parsons, Tina Stevenson, Lynden Stowe, R Theodoulou, LR Wilkins - Total 19;

Abstentions: - Total: 0;

Absent: - Councillors Mark F Annett, Maggie Heaven, RL Hughes, NP Robbins - Total 4.

The Head of Paid Service then informed Members that, given the Leader, as the original Proposer, was in agreement, Members would now be requested to vote on the recommendations as outlined in the Officer report, incorporating the Further Amendment, Proposed by Councillor Hancock and Seconded by Councillor Coakley.

In summarising his Proposition, Councillor Hancock explained that a decision upon the potential increase of discounts up to 25 years of age could not be made that day as Members had insufficient information but considered that clearly this recommendation had been outlined in relevant government papers. He added that the Council could present the view to the other councils within the county to argue for the potential increase, but stated that this would only be approved if agreement was reached by all the other councils in the county.

**RESOLVED that:**

**(a) with effect from 1<sup>st</sup> April 2019, care leavers who meet the eligibility criteria as detailed within this report be eligible to apply for a discretionary council tax discount as follows:-**

**(i) where a property is solely occupied by a Care Leaver, 100% discount will be awarded;**

**(ii) where a Care Leaver is in occupation and jointly liable with others, a 50% discount will be awarded;**

**(b) the Group Manager for Customer Service (Publica Group (Support) Limited) be authorised to award the specified discounts;**

**(c) the Council's Constitution be updated to reflect the approved delegated decision-making arrangements;**

**(d) the Gloucestershire County Council and the other Gloucestershire District Authorities be advised of this Council's support for discounts for care leavers to be applied up to 25 years of age, and those authorities be asked to consider supporting such an approach.**

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

**CL.56 GARDEN WASTE COLLECTIONS**

The Council was requested to consider issues regarding future garden waste collections. The Chairman reminded Members of his decision that the Motion submitted relating to this issue would be debated as part of the substantive report.

The Cabinet Member for Environment introduced this item and explained that the recommendations as outlined in the circulated report related to a decision taken by the Council in December 2018. The Cabinet Member explained that the proposals included extending the range of recyclables that were collected at the kerbside to include textiles, tetrapaks, small electrical items and batteries; and to separate food and garden waste collections - as food waste was transformed into renewable energy and garden waste was processed through a much simpler compost system. The Cabinet Member added that investigations into the possibility of separating garden and food waste had exposed the true cost of the Council providing the optional garden waste

service and that the garden waste licence fee did not cover the costs of delivering the service. The Cabinet Member then provided a brief summary of the motion.

The Leader of the Council informed Members that the wording and not the content of the relevant Motion 1/2019 had changed and proceeded to add more details to the introduction provided by the Cabinet Member. He explained that a new fleet of collection vehicles would be introduced in November 2019 and that the fortnightly collection of garden and food waste would be reviewed at the time of the budget setting in February 2020 and relevant costings would be presented at that time.

A number of amendments were proposed by Members of the Liberal Democrat Group. In the circumstances, it was agreed that the Meeting should be adjourned to enable the Groups to consider the updated Motion and the Amendments. Before doing so, the Chairman enquired if any Member had any further amendments they wished to propose to the recommendations. As there was none, the Chairman adjourned the Meeting.

When the Meeting reconvened, the Leader of the Council explained that, of the amendments as circulated by the Liberal Democrat Group, recommendations (a) and (c) had both been agreed, but that there was a difference of opinion in regard to recommendation (b) as to when the review of the waste service review would be undertaken.

The Cabinet Member for Environment commented that the difficulty with ensuring weekly collections was in regard to the sourcing of agency staff, owing to complications with recruiting permanent members of staff and the subsequent reliance upon agency staff, particularly in winter periods when other employment options for agency staff were readily available. She added that a reduction in the effectiveness of the service was also a key concern, owing to a lack of available time to familiarise crews of agency staff with collection routes and questioned the success of a ceasing of vehicle usage in the winter owing to the continuing need for MOTs and regular servicing of these vehicles throughout the year. The Cabinet Member concluded by drawing Members' attention to page two of the circulated report contained within the December 2018 Council Meeting papers and the saving of £239,214 generated by moving to fortnightly collections, which if not undertaken, would bring the Council into deficit.

In Proposing the Amendment, Councillor JA Harris was invited to address the Meeting and explained that the changes to the Council's waste service had been a 'sleeping beast' and that the Council must listen to the District's residents and seek to allay concerns any residents had. He added that whilst the Review undertaken had been very good, it was clear that the Council had caused a great deal of public opinion following its suggested proposals and that the change to a suspension in collections over the winter period had since been dropped following public concern. In conclusion, Councillor Harris stated his Group wished to put forward the amendments for one year, following which a review should be undertaken and urged Members to support the Amendment.

Councillor Coleman Seconded the Amendment and, in doing so, wished to commend the work of the Cabinet Member in regard to undertaking a review of the Council's waste service and commented that she was the ideal role

model for how a Cabinet Member should undertake their work. Councillor Coleman then drew attention to the fact the proposals related to a cut in the service's collections from 52 to 31 collections, yet maintained the current £30 per annum optional charge. Whilst recognising the difficulties in regard to the recruitment of necessary agency staff, Councillor Coleman explained that the suggestion of vehicles lying dormant would help to assist with the current regular required maintenance of the collection vehicles and would also help to prolong the vehicle's lives. He concluded that the £30 optional charge which had first been introduced in 2008, in his view, should have been regularly increased as opposed to being held static, but stated that he did recognise the benefit all residents in the District received from the high levels of recycling that were regularly achieved.

Various Members expressed that they did not support the Amendment as it primarily sought to extend the review period by one year. Those Members also drew attention to the fact the review would be 'shackled' to the next Council to be undertaken at some stage in the future and stated that reviews should also be taken as soon as possible and at the least possible cost, which the Amendment did not encourage.

The Cabinet Member for Environment responded directly to the Amendment and stated that she did not think that staff would be attracted by part-time contracts and that vehicles lying still was a waste of the Council's resources. She also added that the garden waste would now be collected by a smaller fleet of vehicles and that she therefore supported the Conservative Group suggestion for the review to be undertaken at an early stage. The Cabinet Member also highlighted that 1,300 residents had responded to the waste service survey and that every other district within the county collected garden waste fortnightly.

Some Members echoed the comments of the Cabinet Member and explained that if the Council did not encourage the separation of food and garden waste, the Council would face issues from Ubico and that the move to fortnightly collections was aimed at people separating their waste.

The Chairman informed Members that there was a great appreciation of recycling rates across the District by residents and that it was of most importance that a good standard of service was continued to be delivered to residents and that the removal of the three-month service suspension would help to deliver this.

Councillor Harris addressed the Meeting again and expressed the view that the Council could send out a positive statement by Members voting in favour of the Amendment and commented that he had heard nothing that would prohibit the intentions of the Amendment. He explained that he also wished to thank the Leader of the Council for his conduct in regard to the matter.

The Leader of the Council concluded the debate and explained that both political groups had similar ideas as to how the review should be undertaken and explained that Members were now concerning themselves with the minor details. He added that whilst he could see the benefit of the proposals as contained within the Liberal Democrat Amendment, the review should not be delayed to be dealt with by a future council.

In accordance with Council Procedure Rule 16.6, a recorded vote was requested in respect of the AMENDMENT; and this request was supported by the requisite number of Members.

On being put to the vote, the AMENDMENT was LOST.

Note:

The Record of Voting was as follows:-

For: - Councillors AR Brassington, T Cheung, PCB Coleman, Andrew Doherty, Jenny Forde, JA Harris, M Harris, RC Hughes, Juliet Layton - Total 9;

Against: - Councillors SI Andrews, Julian Beale, AW Berry, Sue Coakley, Alison Coggins, RW Dutton, David Fowles, C Hancock, SG Hirst, Mrs. SL Jepson, RG Keeling, MGE MacKenzie-Charrington, RA Morgan, NJW Parsons, SDE Parsons, Tina Stevenson, Lynden Stowe, R Theodoulou, LR Wilkins - Total 19;

Abstentions: - Dilys Neill - Total 1;

Absent: - Councillors Mark F Annett, Maggie Heaven, Jenny Hincks, RL Hughes, NP Robbins - Total 5.

A vote was then taken on the original Proposition, incorporating the amendment via the Motion, as circulated; and, in accordance with Council Procedure Rule 16.6, a recorded vote was requested; and this request was supported by the requisite number of Members.

On being put to the vote, the PROPOSITION was APPROVED.

Note:

The Record of Voting was as follows:-

For: - Councillors SI Andrews, Julian Beale, AW Berry, Sue Coakley, Alison Coggins, RW Dutton, David Fowles, C Hancock, SG Hirst, Mrs. SL Jepson, RG Keeling, MGE MacKenzie-Charrington, RA Morgan, NJW Parsons, SDE Parsons, Tina Stevenson, Lynden Stowe, R Theodoulou, LR Wilkins - Total 19;

Against: - Total 0;

Abstentions: - Councillors AR Brassington, T Cheung, PCB Coleman, Andrew Doherty, Jenny Forde, JA Harris, M Harris, RC Hughes, Juliet Layton and Dilys Neill - Total 10;

Absent: - Councillors Mark F Annett, Maggie Heaven, Jenny Hincks, RL Hughes, NP Robbins - Total 5.



**RESOLVED that:**

**(a) in accordance with the Council procedure Rule 15.1, the decisions taken at its meeting on 11th December 2018 in respect of the future Waste Service Review (minute CL.38 refers) be rescinded insofar as they relate to:**

- (i) the annual three month suspension of the garden waste service during the winter months (within resolution (b));**
- (ii) the decision to introduce a separated fortnightly garden waste service (within resolution (a));**
- (iii) the intended reduction in the garden waste service licence fee (resolution (g)).**

**(b) there be no suspension of the garden waste service during the winter months and, instead, that a fortnightly collection service be introduced from 1st November 2019, to reflect the significant reduction in garden waste collected during the winter months;**

**(b) prior to 31st January 2020, the fortnightly collection of garden waste be subject to a comprehensive consultation process with all green bin waste service users - at which point council will also be able to take in to account any updates on government-led statutory changes as referred to in the government's 'Resources and Waste Strategy' published in December 2018 (these proposals, updated in February 2019, include separate weekly food waste collections for every household and could include government funding of garden waste collections for households with gardens);**

**(c) in light of the above, the garden waste licence fee remains at £30 for 2019/20, such fee to be reviewed in February 2020 in view of the said consultation responses and any government initiatives.**

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

**CL.57 DRAFT MEDIUM TERM FINANCIAL STRATEGY 2019/20 TO 2028/29, AND CAPITAL AND REVENUE BUDGETS 2019/20**

The Council was requested to consider an update of the Medium Term Financial Strategy for the period 2019/20 to 2028/29 together with the detailed budget proposals for 2019/20.

The Leader of the Council introduced this item and highlighted various aspects of the circulated report. He explained that the Council's Enforcement Team were now more adequately resourced than before and that fly-tipping within the District was a key concern that he would be looking to address in the immediate future.

With regard to Council Tax, the Leader explained that following over 10 years of no increase, a 2.99% increase in Council Tax had been recommended by the Cabinet but, upon further reflection, he and his Group wished to commend a 2% increase for 2019/20. He explained that, despite the proposed

increase, this would still result in the Council facing some considerable medium term risks and dipping into its reserves to cover inflationary increases.

The Leader then Proposed the Cabinet recommendations, as amended by the 2% Council Tax increase for 2019/20 to the Council for approval. An updated report was provided to Members, reflecting this change.

The Cabinet Member for Planning and Licensing Services and Cirencester Car Parking Project Seconded the Proposition. He explained that the report presented to Members was comprehensive and that he considered it correct that the Council would be taking a prudent approach and only increase council tax by a marginal amount. He concluded by stating that the Council did not wish to be the cheapest in the county if it could not meet its necessary obligations and drew attention to the increased revenue required to fund a number of future projects such as the Waterloo decked car park.

Councillor JA Harris, the Leader of the Liberal Democrat Group was invited to respond to the Proposed Budget and explained that he wished to thank the Leader for agreeing to meet with him previously. Councillor Harris explained that his Group wished to propose three amendments, details of which had been circulated. Councillor Harris requested that the Council adjourn for a period of time to allow Members to consider and discuss the amendments. The Chairman agreed to such request and adjourned the Meeting.

Upon reconvening, Councillor Coleman Proposed the First Amendment, relating to the Council Tax Support Grant to town and parish councils being reinstated for 2019/20 at a cost of £31,143. In doing so, he referred to a letter from the Ministry of Housing and Local Government (MCLG) of 21<sup>st</sup> December 2018 detailing that the Council would continue to receive Council Tax Administration support of 63% and added that in addition, the Council would also receive a considerable sum of funding in regard to the New Homes Bonus. Councillor Coleman concluded that the Amendment was both financially and practically moral.

Councillor M Harris Seconded the Amendment. Councillor Harris expressed that he was surprised to hear that the Council received a fee to administer something which it didn't have and continued to explain that if approved, the Amendment would be most welcome by the town and parish councils.

The Chief Finance Officer informed Members that each town and parish council saw a reduction in council tax and that the grant was intended to compensate the councils for their loss. She also confirmed that the Council received £63,000 per year to administer the Council Tax Support Grant.

A Member commented that, previously, the government had taken a 'round number' prior to the introduction of the net scheme of money which gave a level appropriate to that of the council tax and therefore ensured the councils received the correct amount. She also commented that town and parish councils could increase their council tax if they required additional funds.

Another Member commented that this Council should have confidence in town and parish councils to identify what they needed and that they would be held to account by their own councillors in the event of financial difficulties. He added that this Council should encourage localism and ensure parish and

town councils were aware that they could raise the monies as necessary by increases in their own council tax.

In conclusion, Councillor Coleman reiterated his earlier comment regarding correspondence with MCLG and explained that it was not true that parish and town councils got what funding they required as there was a reduction in the council tax base. He urged Members to support the Amendment, if not for the 2019 Budget, then for the 2020 Budget.

On being put to the vote, the First Amendment was LOST.

Note:

In accordance with legislative requirements, a Recorded Vote was taken in respect of the First Amendment. The Record of Voting was as follows:-

For: Councillors AR Brassington, T Cheung, PCB Coleman, Andrew Doherty, Jenny Forde, JA Harris, M Harris, RC Hughes, Juliet Layton and Dilys Neill - Total: 10;

Against: Councillors SI Andrews, Julian Beale, AW Berry, Sue Coakley, Alison Coggins, RW Dutton, David Fowles, C Hancock, SG Hirst, RG Keeling, MGE MacKenzie-Charrington, NJW Parsons, SDE Parsons, TL Stevenson, Lynden Stowe, R Theodoulou and LR Wilkins - Total: 17;

Abstentions: Total: 0;

Absent: Councillors Mark F Annett, Maggie Heaven, Mrs. SL Jepson, Jenny Hincks, RL Hughes, RA Morgan and NP Robbins - Total: 7.

Councillor JA Harris then Proposed the Second Amendment, in relation to the establishment of a £100,000 mental health fund on a trial basis to help support counselling charities to provide support for Cotswold residents with mental health problems. Councillor Harris explained that importance of mental health had come forward in recent years and was now known to affect everybody. He added that he had spoken to Cotswold Counselling who had noticed an 'explosion' in demand and had explained that there was currently a waiting list of three months for 80 residents in Cirencester alone. Councillor Harris continued that the problem was widespread with the NHS struggling to cope and that the Council could act on the issue even though social care did not fall under the Council's remit. He concluded that the grant would help to train staff at Cotswold Counselling who worked in a rural area where mental health was a key concern.

Councillor Neill Seconded the Amendment. Councillor Neill explained that there had been 6,000 deaths from suicide in 2017 and that suicides were three times more common in men than women. She added that mental health was enormously painful and that it affected both older and younger people and that awareness and help needed to be channelled through schools and other organisations.

Various Members commented upon the importance of the subject and the need to recognise that people of all ages were affected by mental health. Those Members, however, stated that they considered that £100,000 would

be of no use in the grand scheme of tackling the issue across the county and beyond.

A Member informed Members that Gloucestershire County Council was due to receive a £5 million grant from government in regard to tackling mental health within the county and that those Members of the Council who were also county councillors would be ensuring this Council received the funding and support it required; which would easily total more than the £100,000 requested in the Amendment.

Other Members explained that any funding and work in regard to this subject needed to be carefully targeted and allocated to avoid it being 'lost'. Those Members also added that the key task with tackling mental health was to ensure that help was available early on and that the trial funding was not to respond to the issue long-term but to 'start the ball rolling' at a grassroots level.

Another Member commented that the Council had introduced social prescribing whereas people had been previously going to visit a GP where there issues were found to be something else. She added that it could not be expected that counsellors could be trained and hired on a trial basis and that a far more suitable level of funding would soon be sourced from a government fund, by way of the County Council.

A different Member added that it would not be difficult to establish a working party to consider how charities could be helped following the Council receiving the grant from the County Council.

In conclusion, Councillor Harris expressed that the £100,000 requested was not intended to become a permanent stream of funding but was instead to start helping to assist a crisis that charities within the District were facing.

On being put to the vote, the Second Amendment was LOST.

Note:

In accordance with legislative requirements, a Recorded Vote was taken in respect of the Second Amendment. The Record of Voting was as follows:-

For: Councillors AR Brassington, T Cheung, PCB Coleman, Andrew Doherty, Jenny Forde, JA Harris, M Harris, RC Hughes, Juliet Layton and Dilys Neill - Total: 10;

Against: Councillors SI Andrews, Julian Beale, AW Berry, Sue Coakley, Alison Coggins, RW Dutton, David Fowles, C Hancock, SG Hirst, RG Keeling, MGE MacKenzie-Charrington, NJW Parsons, SDE Parsons, Lynden Stowe, R Theodoulou and LR Wilkins - Total: 16;

Abstentions: Total: 0;

Absent: Councillors Mark F Annett, Maggie Heaven, Mrs. SL Jepson, Jenny Hincks, RL Hughes, RA Morgan, NP Robbins and TL Stevenson - Total: 8.

Councillor JA Harris then Proposed the Third Amendment, in relation to the scrapping of Sunday charges in the Brewery Car Park, Cirencester and

Maugersbury Road Car Park in Stow-on-the-Wold. Councillor Harris expressed his view that it did not make sense that charges applied in only one car park in Cirencester on Sundays and urged that the Council brought the Brewery Car Park into line with every other car park in the town.

Councillor Neill Seconded the Amendment. Councillor Neill added that it would be of a great benefit to the town of Stow-on-the-Wold if the car park there could also be made free on Sundays. She explained this would be a benefit to residents, visitors and tourists to the town who were currently only able to park in the town square for a maximum of two hours.

The Leader of the Council informed Councillors Harris, Neill and Members that his Group agreed that charges in the Brewery Car Park should be scrapped and that he would ask the relevant Cabinet Member to review the charges at the Maugersbury Car Park separately in due course.

Councillor Harris responded that he was very pleased with the Council's decision and that a review would also be undertaken in regard to the Maugersbury Car Park which he requested would include consulting Councillor Neill as the relevant Ward Member.

On being put to the vote, the Third Amendment was CARRIED.

Note:

In accordance with legislative requirements, a Recorded Vote was taken in respect of the Third Amendment. The Record of Voting was as follows:-

For: Councillors SI Andrews, Julian Beale, AW Berry, AR Brassington, T Cheung, Sue Coakley, Alison Coggins, PCB Coleman, Andrew Doherty, RW Dutton, Jenny Forde, David Fowles, C Hancock, JA Harris, M Harris, SG Hirst, RC Hughes, RG Keeling, Juliet Layton, MGE MacKenzie-Charrington, Dilys Neill, NJW Parsons, SDE Parsons, Lynden Stowe, R Theodoulou and LR Wilkins - Total: 26;

Against: Total: 0;

Abstentions: Total: 0;

Absent: Councillors Mark F Annett, Maggie Heaven, Mrs. SL Jepson, Jenny Hincks, RL Hughes, RA Morgan, NP Robbins and TL Stevenson - Total: 8.

The Leader of the Council then proceeded to thank the Chief Finance Officer for her work in regard to the report and PROPOSED the Budget, as set out in the updated report and subject to the amendment agreed relating to the scrapping of Sunday charging in the Brewery Car Park, Cirencester, to Council for approval.

The Cabinet Member for Planning and Licensing Services and Cirencester Car Park Project Seconded the Proposition. He stated that he considered the Budget to be very comprehensive and detailed and one that had been well considered by both Officers and the Leader of the Council, prior to this stage.

Councillor JA Harris echoed the comments of the Leader when thanking the Chief Finance Officer and her team for their work in regard to the Budget. He

proceeded to explain that the Budget presented was as a result of nine years of austerity under the political leadership of the Council which resulted in a pleasant but difficult place to live for some residents of the District. Councillor Harris continued that the Budget was the opportunity to start tackling the key issues the District faced including social isolation and social mobility and added that his Group had been consistent in attempting to 'unleash the shackles' of the Council in order to help benefit residents lives who were facing great inequality. He concluded by stating that whilst the Leader had been accommodating to some of the Liberal Democrat's Amendments, the backdrop to the Budget was yet again one of austerity.

A Member commented that he was fully supportive of the Budget as Proposed by the Leader. He explained that the Capital Strategy report as outlined within the circulated report demonstrated that there was significant investment into the Cotswolds including £30 million of capital expenditure and the car parking investment in Cirencester. The Member added that this was in addition to investment in the Corinium Museum, Cirencester Leisure Centre and Electric Vehicle Charging Points; and the Budget was therefore one worthy of cross-party support.

Another Member drew attention to the fact that the Council in 2020 was due to receive around £3 million in retained business rates and that this money should be invested into the District's market towns. He also commented that Members' allowances, in his view, should be increased as recommended by the outcome of the review of the independent remuneration panel and the fact that no mention had been given into the Budget for this necessary increase.

In response, the Leader of the Council stated that it was his intention from May 2019 to appoint a Cabinet Member with responsibility for market towns and, in addition, explained that £15 million had been invested into car parking and that business rates were being returned to smaller business to ensure the District was both a good place to live and to work.

The Leader concluded that the efficiency of the Council was not just about cost, but about maintaining service levels. The Leader also explained that nothing presented within the Liberal Democrat Group's Amendments had sought to tackle social mobility and social isolation and that in the future, the Council would set to look at Housing Associations which were well-known to help assist with these issues, but warned that the Council could not solve every issue at once.

The Head of Paid Service informed Members that paragraph 15 of the Council's Pay Policy Statement which was contained within the circulated report should also make reference to Statutory Officers of the Council.

**RESOLVED that, subject to the amendment agreed relating to the removal of charges at the Brewery Car Park, Cirencester on Sundays:**

**(a) the Medium Term Financial Strategy for 2019/20 to 2028/29, detailed in Appendix 'A' to the updated circulated report (incorporating a 2% increase in the District Council element of Council Tax for 2019/20), be approved;**

- (b) the Capital Programme for 2019/20 to 2028/29, as detailed in section 11 and in Appendix 'A3' of the updated circulated report, be approved;
- (c) the Net Budget Requirement for 2019/20, detailed at paragraph 9.1 and the Detailed Budget attached at Appendix 'B' to the updated circulated report, be approved;
- (d) the Pay Policy Statement for 2019/20, attached at Appendix 'D' to the updated circulated report, be approved, subject to the inclusion of a reference to the pay of the Council's statutory officers;
- (e) the Capital Strategy 2019/20, attached at Appendix 'E' to the updated circulated report, be approved;
- (f) the Investment Strategy 2019/20, attached at Appendix 'F' to the updated circulated report, be approved;
- (g) the Treasury Management Strategy 2019/20, attached at Appendix 'G' to the updated circulated report, be approved;
- (h) the Chief Finance Officer be given delegated authority to make any consequential changes to the above documents in light of the decision of the Council.

Note:

In accordance with legislative requirements, a Recorded Vote was taken in respect of the Substantive Motion. The Record of Voting was as follows:-

For: Councillors SI Andrews, Julian Beale, AW Berry, Sue Coakley, Alison Coggins, RW Dutton, David Fowles, C Hancock, M Harris, SG Hirst, RC Hughes, RG Keeling, Juliet Layton, MGE MacKenzie-Charrington, NJW Parsons, SDE Parsons, Lynden Stowe, R Theodoulou and LR Wilkins - Total: 19;

Against: Total: 0;

Abstentions: Councillors AR Brassington; T Cheung; PCB Coleman; Andrew Doherty; Jenny Forde; JA Harris and Dilys Neill - Total 7;

Absent: Councillors Mark F Annett, Maggie Heaven, Mrs. SL Jepson, Jenny Hincks, RL Hughes, RA Morgan, NP Robbins and TL Stevenson - Total: 8.

CL.58 COUNCIL TAX 2019/20

The Council received a report detailing the calculating and setting of Council Tax for 2019/20.

The Leader of the Council introduced this item, drawing attention to the 2% increase in Council Tax, which circumstances he considered warranted, and the Budget for 2018/19 approved by the Council under the previous item of business. An updated report reflecting such changes had been circulated.

Councillor Stowe Seconded the Proposition and commented upon the increase of 10% in regard to the Gloucestershire Police and Crime Commissioner.

A Member commented that he considered the increase in regard to the Police and Crime Commissioner suitable given the difficulties the Commissioner faced in regard to balancing the books of the County's police force.

Another Member expressed her view that she was disappointed that the Council Tax increase had been reduced from the originally-proposed 2.99% as, following a recent survey in her Ward, the majority of residents had stated that they would support an increase in Council tax; accepting that modest increases were needed.

**RESOLVED that:**

- (1) for the purposes of the Local Government Finance Act 1992 Section 35(2), there are no special expenses for the District Council in 2019/20;**
- (2) it be noted that It be noted that, using her delegated authority, the Chief Finance Officer calculated the Council Tax Base for 2019/20:**
  - (a) for the whole Council area as 41,683.06 [item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and**
  - (b) for dwellings in those parts of its area to which a Parish Precept relates as in the attached Schedule 1.**
- (3) the Council Tax requirement for the Council's own purposes for 2019/20 (excluding Parish Precepts) is £128.93.**
- (4) the following amounts be calculated for the year 2019/20 in accordance with Sections 31 to 36 of the Act:**
  - (a) £43,999,751 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act, taking into account all precepts issued to it by Parish Councils and any additional special expenses.**
  - (b) £35,452,325 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.**
  - (c) £8,547,426 being the amount by which the aggregate at 4(a) above exceeds the aggregate at 4(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year (Item R in the formula in Section 31B of the Act).**
  - (d) £205.06 being the amount at 4(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish Precepts and Special Expenses);**
  - (e) £3,173,229 being the aggregate amount of all special items (Parish Precepts and Special Expenses) referred to in Section 34(1) of the Act as per the attached Schedule 2.**



- (f) £128.93 being the amount at 4(d) above less the result given by dividing the amount at 4(e) above by Item T(2(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish Precept or special item relates;
- (g) the amounts shown in Schedule 2 being the amounts given by adding to the amount at 4(f) above, the amounts of the special item or items relating to dwellings in those parts of the Council's area shown in Schedule 2 divided in each case by the amount at 2(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate;
- (h) the amounts shown in Schedule 3 being the amounts given by multiplying the amounts at 4(f) and 4(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;
- (5) it be noted that for the year 2019/20 the Gloucestershire County Council and the Police & Crime Commissioner for Gloucestershire have issued precepts to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each category of dwellings in the Council's area as indicated below:

Valuation Band	Gloucestershire County Council	Police and Crime Commissioner
	£	£
A	862.47	166.99
B	1,006.21	194.83
C	1,149.96	222.66
D	1,293.70	250.49
E	1,581.19	306.15
F	1,868.68	361.82
G	2,156.17	417.48
H	2,587.40	500.98

**(6) the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in Schedule 4 as the amounts of Council Tax for the year 2019/20 for each part of its area and for each of the categories of dwellings.**

**(7) the Council's basic amount of Council Tax for 2019/20 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.**

**(8) the following Officers of the Council and Publica - Chief Finance Officer, Principal Solicitor, Legal Executive, Group Manager Revenues and Housing Support, Joint Operations Manager, Joint Support Lead Officer, Overpayments Officer, Senior Recovery Revenues Officer, Senior Revenues Officer, Revenues Officer and Recovery Officer -be authorised to:-**

- (a) collect and recover any National Non-Domestic Rates and Council Tax; and**
- (b) prosecute or defend on the Council's behalf or to appear on its behalf in proceedings before a magistrate's court in respect of unpaid National Non-Domestic Rates and Council Tax.**

Notes:

(i) In accordance with legislative requirements, a Recorded Vote was taken in respect of the Substantive Motion. The Record of Voting was as follows:-

For: Councillors SI Andrews, Julian Beale, AW Berry, Sue Coakley, Alison Coggins, RW Dutton, David Fowles, C Hancock, M Harris, SG Hirst, RC Hughes, RG Keeling, MGE MacKenzie-Charrington, NJW Parsons, SDE Parsons, Lynden Stowe, R Theodoulou and LR Wilkins - Total: 18;

Against: Dilys Neill - Total: 1;

Abstentions: Councillors AR Brassington; T Cheung; PCB Coleman; Andrew Doherty; Jenny Forde; JA Harris and Juliet Layton - Total 7;

Absent: Councillors Mark F Annett, Maggie Heaven, Mrs. SL Jepson, Jenny Hincks, RL Hughes, RA Morgan, NP Robbins and TL Stevenson - Total: 8.

(ii) Copies of the Schedules referred to within the above resolutions are attached to the signed copy of the Minutes.

**CL.59 COMMUNITY INFRASTRUCTURE LEVY**

The Deputy Leader of the Council and Cabinet Member for Forward Planning informed Members that this item had been withdrawn from the Meeting. He explained that Community Infrastructure Levy (CIL) was completely new to the Council, and whilst the funding was available, further work was required.

**CL.60 COMMUNITY GOVERNANCE REVIEWS**

The Council was requested to consider representations made in respect of the Community Governance Review (CGR) proposals; and to agree final outcomes for implementation.

The Head of Democratic Services introduced the item and amplified various aspects of the circulated report. He explained that the proposals as outlined had the support of the relevant town and parish councils and that permission from the Local Government Boundary Commission to undertake the changes had been granted. In regard to Upper Rissington Parish Council, it was considered that the number of parish councillors should be increased to 11, with the residents favouring no warding arrangements. The Head of Democratic Services explained that the proposal for 11 parish councillors also had the support of County Councillor Moor, who had stated that he had no strong preference for warding arrangements being introduced.

The Cabinet Member for Planning and Licensing Services and Cirencester Car Park Project, as the relevant Ward Member, commented that the size of Upper Rissington village had nearly doubled in recent years and that new developments now neighboured historic parts of the village. He added that much work had been undertaken by the Parish Council and residents to try and bring the community together, but that it had been challenging for all parties involved including him as District Councillor. He added that warding within the village would create enclaves and that it was therefore important that the parish council had 11 parish councillors representing the whole village and not individual parish wards.

Various Members commented that they supported the de-warding of the identified town and parish councils and highlighted that, with upcoming elections, it could be considered more beneficial for candidates to be elected from the whole parish as opposed to individual wards.

It was Proposed and Seconded and,

**RESOLVED that, having regard to the statutory and other considerations and the responses to the Community Governance Review proposals:-**

- (a) the removal of the current warding arrangements at parish/town level in respect of Bourton-on-the-Water, Fairford, Moreton-in-Marsh, South Cerney and Tetbury be approved;**
- (b) the New Mills Ward of Cirencester Town Council be represented by two councillors;**
- (c) in relation to Upper Rissington Parish Council -
  - (i) an increase in the number of councillors to eleven be approved; and**
  - (ii) warding arrangements be not introduced;****
- (d) an Order be made to reflect the agreed arrangements, such Order to provide that such arrangements shall apply with effect from the May 2019 elections.**

**Record of Voting - for 24, against 0, abstentions 0, absent 10.**

**CL.61 ISSUES/ REPORTS ARISING FROM CABINET**

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

**CL.62 ISSUES/REPORTS ARISING FROM OVERVIEW AND SCRUTINY AND/OR AUDIT**

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

**CL.63 NOTICE OF MOTIONS**

The Chairman reminded Members that, given the subject matter of the Motion, and its link to agenda item (11), the Motion had been considered and debated as part of the consideration of the agenda item.

**CL.64 DECISIONS TAKEN BY THE HEAD OF PAID SERVICE**

Members received the details of the following decisions taken by the Head of Paid Service in accordance with Council Procedure Rule 38, and following relevant consultation:-

- (i) To issue a letter of support in connection with a grant application by Stratton Association partnered with Friends of Baunton Lane Playing Field for funding of up to £25,000 from the Pocket Parks Plus programme established by the Ministry of Housing, Communities and Local Government.

The monies would be used to refurbish and expand the facilities at the Baunton Lane Playing Field, addressing the specific local needs identified through consultation with the local community.

The District Council will act as the accountable body for any approved funding. Cirencester Town Council is also supportive of the proposal.

- (ii) To secure the rescheduling of resurfacing works at Ashcroft Road, Cirencester in order to minimise the impact on traders in the town and visitors, as well as reducing the potential traffic chaos arising from the displacement of around 1,000 cars each day into the surrounding areas of Cirencester (given that Ashcroft Road is the only route to and from the well-used Brewery Car Park and several business premises).

The resurfacing works will now take place on three consecutive Sundays (3<sup>rd</sup>/10<sup>th</sup>/17<sup>th</sup> March), and will not therefore impact on normal week-day traffic flows. The District Council will bear the additional costs of Sunday working and contractor standing charges (if any). Efforts will also be made to help those with resident parking permits, and attendees at the local churches in the vicinity, during the course of the works.

**RESOLVED that the action taken be noted.**

**Record of Voting - for 24, against 0, abstentions 0, absent 10.**

**CL.65 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 24, against 0, abstentions 0, absent 0.**

**CL.66 EXCLUSION OF THE PUBLIC AND PRESS**

**RESOLVE** that under Section 100A(4) of the Local Government Act 1972 the public and Press be excluded from the Meeting for the following item of business on the grounds that it involves likely disclosure of exempt information as defined in paragraph (3) of Part I of Schedule 12A to the said Act (Information relating to financial or business affairs) and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned.

**Record of Voting - for 24, against 0, abstentions 0, absent 10.**

**CL.67 PROPERTY MATTER - CIRENCESTER**

The Council received was requested to consider and decide whether or not to acquire a potential strategic property in Cirencester.

A Member, whose Ward contained the property, expressed the view that he was delighted that the Council was looking to purchase the property in a major investment approach. He added that the purchase would represent a good opportunity to 'tidy-up' a part of Cirencester town centre and that he wished to ensure that accommodation that would be provided within the property would be social rented, explaining that it would be a 'great shame' if it instead became market housing.

Another Member echoed the comments and explained that the purchase would enable the Council to gain control over a part of the town centre, whilst also enabling the Council to provide social housing in a better location than it had previously.

**RESOLVED:**

- (a) the purchase of the identified property as a strategic asset for future economic development benefits be approved;**
- (b) delegated authority be given to the Head of Paid Service, in consultation with the Monitoring Officer, Chief Finance Officer, Leader and Deputy Leader of the Council, to finalise terms for the acquisition of the property;**
- (c) the sum identified be included in the Council's Capital Programme for 2018/19 for the purchase price and associated purchase costs - the capital to be funded from Usable Capital Receipts which are to be brought forward from the provision for new capital projects in the Capital Programme 2019/20 and 2020/21;**

**(d) the Chief Finance Officer be given delegated authority to update the Capital Strategy, Investment Strategy and Treasury Management Strategy to reflect the earlier use of Useable Capital Receipts;**

**(e) the Chief Finance Officer be given delegated authority, in consultation with the Leader of the Council, to reallocate £35,000 from existing revenue reserves, to provide funding for a detailed business case on options for progressing redevelopment of the property and short-term maintenance issues prior to redevelopment;**

**(f) that income from the property be ring-fenced to fund: loss of income on the capital receipt, property management costs and short-term costs related to the property prior to redevelopment.**

**Record of Voting - for 23, against 1, abstentions 0, absent 10.**

The Meeting commenced at 10.00 a.m., adjourned between 11.50 a.m. and 12.15 p.m., 1.15 p.m. and 2.00 p.m., and closed at 3.55 p.m.

Chairman

(END)

COTSWOLD DISTRICT COUNCIL

ANNUAL COUNCIL MEETING

14<sup>TH</sup> MAY 2019

Present:

Councillor Julian Beale - Chairman

Councillors -

Stephen Andrews  
Mark Annett  
Gina Blomefield  
Claire Bloomer  
Tony Berry  
Ray Brassington  
Patrick Coleman  
Rachel Coxcoon  
Tony Dale  
Andrew Doherty  
Mike Every  
Jenny Forde  
Joe Harris  
Mark Harris  
Nikki Ind  
Stephen Hirst  
Roly Hughes

Robin Hughes  
Sue Jepson  
Julia Judd  
Richard Keeling  
Juliet Layton  
Andrew Maclean  
Nick Maunder  
Richard Morgan  
Dilys Neill  
Richard Norris  
Nigel Robbins  
Gary Selwyn  
Lisa Spivey  
Ray Theodoulou  
Steve Trotter  
Clive Webster

CL.1 DECLARATIONS OF INTEREST

Councillor Mark Harris declared an interest in respect of Agenda Item (11), as the Chairman of the Independent Review Panel was a constituent within his Ward.

Councillor Joe Harris declared an interest in respect of Agenda Item (11), as he had historically attended a dinner at which the Chairman of the Independent Review Panel had been present.

There were no declarations of interest by Officers.

CL.2 ELECTION OF CHAIRMAN OF THE COUNCIL

The retiring Chairman of the Council, Councillor Julian Beale, welcomed new and returning Members to the Meeting along with former Members and a number of Honorary Alderman. He explained that he wished to congratulate Councillor Joe Harris and his fellow party colleagues for a well-conceived and excellent campaign which he considered had been conducted in a fine manner and one which, had demonstrated 'a time for change'. Councillor Beale added that he wished to extend his personal thanks to all Members and Officers who had assisted him during his two year term as Chairman and

offered his congratulations to the Head of Paid Service who had admirably conducted the recent District and Parish Elections.

Councillor Joe Harris extended his thanks to Councillor Beale for his service as Chairman of the Council over the past two years and for the professional and open to all approach he had applied to the role.

Councillor Beale then reported/invited nominations for Chairman of the Council for the ensuing year.

Councillor Nigel Robbins had been Proposed by Councillor Claire Bloomer and Seconded by Councillor Ray Brassington. They commented that Councillor Robbins was an experienced Member at County, District and Town Council levels; and that he had previously served as Mayor of Cirencester. They believed that he was therefore well-suited to fulfilling the role of Chairman of the Council.

In the absence of further nominations, it was

**RESOLVED that Councillor Nigel Robbins be elected Chairman of the Council, to hold office until the Annual Meeting of the Council in May 2020.**

Notes:

- (i) Councillor Robbins read out his Declaration of Office, which he duly signed.
- (ii) Councillor Robbins then took the Chair.
- (iii) Councillor Robbins thanked Members for electing him as Chairman of the Council and explained that it was a matter of pride to represent the Council and that he hoped he would be as inclusive a Chairman as Councillor Beale and would undertake the role with agreement from all parties.

**CL.3 APPOINTMENT OF VICE-CHAIRMAN OF THE COUNCIL**

The Chairman reported/invited nominations.

Councillor Dilys Neill had been Proposed by Councillor Lisa Spivey and Seconded by Councillor Tony Dale.

In the absence of further nominations, it was

**RESOLVED that Councillor Dilys Neill be elected Vice-Chairman of the Council, to hold office until the Annual Meeting of the Council in May 2020.**

Notes:

- (i) Councillor Neill then read out her Declaration of Acceptance of Office, which she duly signed.



(ii) Councillor Neill thanked Members for the confidence expressed in appointing her as Vice-Chairman of the Council and stated that she had learnt a great deal from the approach taken previously by Councillor Beale.

**CL.4 ANNOUNCEMENTS FROM THE CHAIRMAN, LEADER OR HEAD OF PAID SERVICE**

The Chairman explained that he would endeavour to represent the Council fairly both within and outside of the Council Chamber and that the Council's new administration's prospectus had an ambition to change with the main aims of transparency; urgency of responding to climate change; the educational and social element of the District's market towns; and an increase in social housing provision. He added that the appointment of Honorary Alderman would be subject to a review and subsequent report at a future Council Meeting. The Chairman also expressed his desire for Members to become involved in a competition to design a pledge or affirmation for Council Meetings, which the Vice-Chairman would judge. He concluded by congratulating newly-appointed Independent Ward Member for Tetbury East and Rural, Councillor Nikki Ind, on her appointment to the role of Mayor of Tetbury.

The Chairman then welcomed Mr. Christopher Horne, formerly, of Moreton-in-Marsh, to the Meeting. Mr. Horne advised of his family's connection to historic politicians of the District and gifted a painting of William Gladstone, former British Prime Minister, to the Council's administration for display within the Council's offices.

The Chairman extended his thanks to Mr. Horne and accepted the painting on behalf of the Council.

Councillor Berry wished to extend his thanks to Councillor Beale for being, what he considered, an 'exceptional' Chairman. Councillor Berry also wished to extend his thanks to his group for their support during his short term as Leader of the Council and also to Officers for their assistance. He concluded by congratulating Councillor Joe Harris on a successful campaign and stated that he was inheriting a Council 'in pretty good shape' and one that was also financially sound.

There were no announcements from the Head of Paid Service.

**CL.5 RECORD OF ATTENDANCES**

The Council received the Record of Attendances at Meetings during the past Council Year.

**CL.6 LEADER OF THE COUNCIL**

The Chairman of the Council reported/invited nominations.

Councillor Joe Harris had been Proposed by Councillor Mike Evemy and Seconded by Councillor Rachel Coxcoon.

Councillor Evemy explained that he considered it 'an honour' to nominate Councillor Harris as the first Leader of the Council's new administration and stated that, without his input, it would be unlikely that the Group would be

running the Council. Councillor Every added that Councillor Harris had eight previous years of experience on the Council and was both passionate about Cirencester and the wider District as a whole.

In the absence of any further nominations, it was

**RESOLVED that Councillor Joe Harris be appointed Leader of the Council, to hold Office until the Annual Meeting of the Council in May 2023.**

Notes:

(i) It was noted that, by virtue of the Constitution, the Leader of the Council would also be Chairman of the Cabinet. It was also noted that, under the 'Strong Leader' executive arrangement, the Leader appointment was for the term of the Council rather than on an annual basis.

(ii) Councillor Harris thanked Members for their support, echoed the comments previously made by Members regarding Councillor Beale, and stated that he was looking forward to working with his colleague Members in a more constructive environment. He added that the Council had been the subject of a historic election result which had been reflected in large media coverage nationally; and that, whilst often disagreeing with them, he wished to extend his thanks to the previous administration and Councillor Berry as previous Leader of the Council. Councillor Harris echoed the comments made by the Chairman in regard to the new administration's priorities and he hoped that all Members would be involved in the decision-making process and would consequently feel their role at the Council to be a worthwhile and fulfilling one.

**CL.7 APPOINTMENT OF THE CABINET**

It was noted that Councillor Joe Harris, as Leader of the Council, had made the following Cabinet appointments for the 2019/20 Council Year:-

<u>Councillor</u>	<u>Portfolio Area</u>
Mike Every (Deputy Leader)	Finance
Rachel Coxcoon	Planning, Policy, Climate Change and Energy
Tony Dale	Economic Development, Skills and Young People
Andrew Doherty	Waste, Flooding and Environmental Health
Jenny Forde	Health, Well-being and public safety
Mark Harris	Car Parks and Town & Parish Councils

<u>Councillor</u>	<u>Portfolio Area</u>
Lisa Spivey	Housing and Homelessness
Clive Webster	Development Management, Landscape and Heritage

The Leader explained that he did not consider that the Cabinet in its current form to be the best method of governance, and that he would insist that the Cabinet would exercise its power with caution. He added that whilst a potential future move could be to move away from the Cabinet system, the current increase to nine Cabinet Members would help to deliver the ambitious programme for the Council. Whilst recognising the various financial implications, the Leader also explained that the important and busy first year of the council term did, in his view, justify the increase in membership.

#### CL.8 APPOINTMENT OF COMMITTEES

The Council was requested to make appointments to the various Committees of the Council for the 2019/20 Municipal Year.

Attention was drawn to the Briefing Note from the Head of Democratic Services, which set out the allocations of each of the political groups within the Council to the various Committee and it was

**RESOLVED that the Committee appointments for 2019/20 be confirmed,**

**Record of Voting - for 34, against 0, abstentions 0, absent 0.**

Note:

Details of the various appointments are set out in the Appendix to these Minutes.

#### CL.9 MEMBERS' ALLOWANCES 2019/20

The Head of Paid Service introduced the item and informed Members that the Chairman of the Independent Review Panel (IRP), Mrs. Jane Winstanley, was unable to be present at the Meeting due to a prior engagement. He drew attention to the views of the Panel, as detailed within the circulated report, and of the strong view that delaying any increase would result in more difficulties in uprating any allowances in the future. The Head of Paid Service concluded by clarifying previous Council discussions and decisions on this item, and the Council decision at the September 2018 Meeting, that the Panel's recommendations should be presented at the first Meeting of the newly-elected Council in May 2019 for decision.

The Deputy Leader of the Council and Cabinet Member for Finance then Proposed that the Council accept the recommendations of the Panel to increase Members' Allowances with a basic allowance of £5,000 per annum, and with future allowance amounts to be indexed against staff pay awards. He added that the newly-elected Council in May 2023 should then decide the levels of Members' Allowances for the next term having agreed the recommendations made by the Independent Review Panel at that time.

The Cabinet Member for Car Parks and Town and Parish Councils Seconded the Proposition. He explained that the allowances would be in line with many other Councils across the county and would enable a more diverse range of people to stand for election to the Council in the future.

Councillor Berry, as Leader of the Conservative Group, commented that his Group could not support the Proposition as the rises in salary for Officers over the same period equated to 14% in comparison. He also drew attention to the increase in Cabinet Members and the additional expenses this would incur.

Various Members drew attention to the potential that the increase in Member Allowances would have in encouraging a wider and more diverse membership of the Council and that, currently, the Council was considered to be 'under-remunerating' its Members. Those Members also explained that some residents of the District, having been surveyed by the IRP, had agreed that member allowances should be increased and that the increase had been delayed for too great a time.

Other Members highlighted the unsuitable timing of any decision being made on this item given the recent election of Members to the Council and in addition, the greater increase to Member Allowances than had been received by Officers over the past 11 years.

The Deputy Leader of the Council was invited to address the Council again and reminded Members that the timing of consideration of this item was in line with the previous administration's decision to defer any action on this item until the first Meeting of the newly-elected Council in May 2019. He also drew attention to the fact the Panel had recommended an increase of up to £5,500 per annum per Member and that the Proposition incorporated an increase from £4,000 to £5,000 per annum.

In accordance with Council Procedure Rule 16.6, a recorded vote was requested; and this request was supported by the requisite number of Members.

On being put to the vote, the PROPOSITION was APPROVED.

**RESOLVED that the Council supports the recommendations of the Independent Remuneration Panel in relation to 2019/20 and beyond.**

Note:

The Record of Voting was as follows:-

For: - Councillors Claire Bloomer, Ray Brassington, Patrick Coleman, Rachel Coxcoon, Tony Dale, Andrew Doherty, Mike Evemy, Jenny Forde, Joe Harris, Mark Harris, Roly Hughes, Nikki Ind, Juliet Layton, Andrew Maclean, Nick Maunder, Dilys Neill, Nigel Robbins, Gary Selwyn, Lisa Spivey and Clive Webster - Total: 20;

Against: - Councillors Stephen Andrews, Mark Annett, Julian Beale, Tony Berry, Gina Blomefield, Stephen Hirst, Robin Hughes, Sue Jepson, Julia Judd, Richard Keeling, Richard Morgan, Richard Norris, Ray Theodoulou and Steve Trotter - Total: 14;

Abstentions: - Total: 0;

Absent: - Total: 0

CL.10 OTHER BUSINESS

There was no other business that was urgent.

Note:

The Chairman reminded Members that all Committees would meet at the conclusion of the Council Meeting to deal with their respective Chairman and/or Vice-Chairman elections/appointments.

The Meeting commenced at 12.05 p.m. and closed at 1.40 p.m.

Chairman

(END)

Unconfirmed

**APPENDIX**

**APPOINTMENT OF COMMITTEES - COUNCIL YEAR 2019/20**

**PLANNING AND LICENSING COMMITTEE**

**Liberal Democrat Group Representation (8):** Claire Bloomer  
Ray Brassington  
Patrick Coleman  
Roly Hughes  
Juliet Layton  
Dilys Neill  
Gary Selwyn  
Clive Webster

**Conservative Group Representation (6):** Tony Berry  
Stephen Hirst  
Sue Jepson  
Julia Judd  
Richard Keeling  
Steve Trotter

**Non-Grouped Member Representation (1):** Nikki Ind

**Total Members: 15**

**OVERVIEW AND SCRUTINY COMMITTEE**

**Liberal Democrat Group Representation (4):** Claire Bloomer  
Patrick Coleman  
Dilys Neill  
Gary Selwyn

**Conservative Group Representation (3):** Stephen Andrews  
Gina Blomefield  
Richard Norris

**Non-Grouped Member Representation (1):** Andrew Maclean

**Total Members: 8**

Unconfirmed

**AUDIT COMMITTEE**

**Liberal Democrat Group Representation (3):** Patrick Coleman  
Roly Hughes  
Nick Maunder

**Conservative Group Representation (2):** Richard Morgan  
Ray Theodoulou

**Total Members: 5**

(END)

Unconfirmed





**COUNCIL**

**3<sup>RD</sup> JULY 2019**

**AGENDA ITEM (8)**

**FUNDING ALLOCATIONS - 2018/19 BUDGET SURPLUS**

<b>Accountable Member</b>	Councillor Joe Harris Leader of the Council
<b>Accountable Officers</b>	Jenny Poole Chief Finance Officer 01285 623313 jenny.poole@cotswold.gov.uk

<b>Purpose of Report</b>	To consider expected recommended funding allocations in respect of the 2018/19 budget surplus.
<b>Recommendation</b>	<b>That Council considers any recommendation(s) from the Cabinet in relation to the use of the 2018/19 budget surplus.</b>
<b>Reason for Recommendation</b>	To best utilise the budget surplus from 2018/19.

<b>Ward(s) Affected</b>	None
<b>Key Decision</b>	No
<b>Recommendation to Council</b>	Yes, from the Cabinet

<b>Financial Implications</b>	As set out in the report
<b>Legal and Human Rights Implications</b>	None
<b>Human Resource Implications</b>	None
<b>Environmental and Sustainability Implications</b>	None
<b>Human Resource Implications</b>	None

<b>Key Risks</b>	None
<b>Equalities Analysis</b>	Not required

<b>Related Decisions</b>	Cabinet debate - 1 <sup>st</sup> July 2019
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<b>Background Documents</b>	Service/financial performance quarterly reports
<b>Appendices</b>	None
<b>Performance Management Follow Up</b>	Implement Council decision(s)
<b>Options for Joint Working</b>	Joint working is fundamental to the Council's strategic approach, and contributes to the Council's financial position.

### **Background Information**

1. At its Meeting on 1<sup>st</sup> July 2019, the Cabinet will considered the Quarter 4 2018/19 service and financial performance information, and the ensuing year end position.

2. The Council has generated an under-spend against its original budget of £491,362; and the Cabinet is being asked to consider how to allocate such underspend.

3. The relevant extract from the report to the Cabinet is as follows:-

#### ***Transfers to Reserves***

*2.31 As mentioned, at 2.4 above, the Council has generated an under-spend against its original budget of £491,362.*

*2.32 The Council is facing a significant financial risk when it introduces the changes to its waste and recycling service in November 2019. As has been seen from changes to these types of services in other local authorities, the true cost of delivering a revised waste and recycling service cannot be guaranteed until the service is operational and has become established. It is therefore recommended that £490,000 is transferred to the Council Priorities Fund earmarked reserve for use either in funding in-year budgetary pressures from changes to the waste service or to fund priority projects which support the new Council's priorities.*

*2.33 It is proposed that the remaining revenue underspend of £1,362 be transferred into the Council General Fund.*

5. The recommendation(s) of the Cabinet on this item will be reported either in advance of, or at, the Council Meeting.

(END)



**COUNCIL**

**3<sup>RD</sup> JULY 2019**

**AGENDA ITEM (9)**

**TEMPORARY DECKED CAR PARKING IN CIRENCESTER**

<b>Accountable Member</b>	Councillor Mark Harris Cabinet Member for Car Parks and Town & Parish Councils
<b>Accountable Officer</b>	Claire Locke Group Manager - Commissioning 01285 623427 <a href="mailto:Claire.locke@publicagroup.uk">Claire.locke@publicagroup.uk</a>
<b>Purpose of Report</b>	To decide whether or not to progress the temporary decked parking project.
<b>Recommendation(s)</b>	<b>That Council considers and agrees:</b> <b>(a) that, due to receipt of pre-application planning advice, a scheme to construct temporary decked parking is no longer pursued;</b> <b>(b) that, subject to approval of recommendation (a) above, the funding allocated for this purpose be released and reallocated as necessary.</b>
<b>Reason(s) for Recommendation(s)</b>	To formally cease work on the temporary decked parking proposal.
<b>Ward(s) Affected</b>	All Cirencester Wards but potentially impacts on all Wards.
<b>Key Decision</b>	N/A
<b>Recommendations to Council</b>	N/A
<b>Financial Implications</b>	(i) Allocation of one off revenue funding from Council Priorities Fund of £95,000 will no longer be required for this project - spend to date £775. (ii) Funding of up to £155,000 per annum from surplus New Homes Bonus allocated to Council Priorities Fund for the next three years is no longer required for this project. (iii) Allocations for funding taken from Waterloo budget allocation are no longer required for this project.

<b>Legal and Human Rights Implications</b>	No legal implications as a direct result of this decision.
<b>Environmental and Sustainability Implications</b>	None
<b>Human Resource Implications</b>	None
<b>Key Risks</b>	Risk of abortive costs if the project for temporary decked parking is progressed in spite of pre-application planning advice.
<b>Equalities Analysis</b>	N/A

<b>Related Decisions</b>	Decision taken by Cabinet at its meeting on 14 <sup>th</sup> February 2019 under agenda item (7) Temporary Decked Parking in Cirencester.
<b>Background Documents</b>	Previous reports
<b>Appendices</b>	<b>Appendix 'A'</b> - Pre-application advice on the Old Station site

<b>Performance Management Follow Up</b>	Implement Council decision(s)
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<b>Options for Joint Working</b>	None
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<p><b>Background Information</b></p> <p>1. At its Meeting on 14<sup>th</sup> February 2019, Cabinet agreed to progress of a scheme to provide temporary decked parking - this was proposed to meet a current established shortfall in parking provision in Cirencester and to provide alternative decant parking during the proposed construction of a decked car park at the Waterloo.</p> <p>2. Officers progressed with pre-application planning advice for the Old Station site. Officers had to select a site for this purpose and identified the Old Station as it was on the preferred side of town and due to the current application to demolish the Old Memorial Hospital Site. Officers are currently awaiting the planning decision for the demolition and additional parking on the Old Memorial Hospital site which is currently being considered.</p> <p>3. Officers have now received the pre-application advice on the Old Station site. The full advice is attached at <b>Appendix 'A'</b>. As the applicant, Officers have confirmed that this can be made public in the interests of transparency. This does not contain any commercially sensitive information. Highlighted below is the conclusion that states:</p> <p><i>It is the conclusion of officers that, for the reasons explained, the harm identified under the heading of Built Heritage Impact would be likely to outweigh any public benefit of the delivery, on a temporary basis, of replacement public parking.</i></p>
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4. If the Council continues to prepare a planning application for a temporary decked car park, contrary to planning pre-app advice, costs will be incurred and it is likely that any application will be refused as the grounds for the pre-app objection cannot be mitigated due to the nature of the area.

5. The Council, as Local Planning Authority, is currently considering an application submitted for the construction of 250 car parking spaces within the Bathurst Estate, at the site of the Old Kennels. One of the stated aims included within the application is to 'Help alleviate parking congestion in the town centre by providing dedicated car parking facilities for the employees of St James's Place on weekdays'. Subject to the application obtaining approval, this additional parking provision would support the town centre parking capacity by providing alternative parking arrangement for St James Place employees who currently occupy spaces in public pay and display car parks.

6. The planning application for the additional parking at the Rugby Club site has now been submitted which, subject to approval, will provide in the region of 153 spaces for permit holders during the 10 year lease period.

7. Officers will continue to consider the need and options for temporary and decant parking.

8. A decision is currently awaited from the Secretary of State on consent to demolish the Old Memorial hospital. If granted, this site would provide 36 additional car parking spaces in the short to medium term before more strategic redevelopment of that site takes place.

(END)

**Planning Officer Advice Note**

Agent	
Pre-application Ref	19/01429/PAYPRE
Site Location/Address	Old Station Car Park, Tetbury Rd, Cirencester, Glos.
Date	31.05.19

**Summary of Planning Officer's opinion and recommended course of action:**

**Planning Background:** The site lies within the town's Development Boundary, having regard to Policy DS2 of the newly adopted Local Plan 2011-2031. The site is also in close proximity to the Cirencester Town Centre Conservation Area (Local Plan policies EN1 & EN11). Part of the site is a Scheduled Ancient Monument (Local Plan policies EN1 & EN10).

All of the current Local Plan policies can be viewed via the following link:  
<https://www.cotswold.gov.uk/residents/planning-building/planning-policy/local-plan-2011-2031>

**Proposals:** The proposal is for the provision of a temporary decked car parking structure, to provide additional public car parking. Vehicular access would still be gained from Tetbury Road.

**Comments:****Background**

It is noted that CDC are undertaking a parking review and related strategy for Cirencester that will take account of the impact of recent developments in the town and of future growth. It is understood that the proposals are a result of the desire to implement the car parking strategy.

The supporting text of the newly adopted Local Plan states that:-

"Cirencester currently has several surface-level car parks, and a number of these sites present the most obvious opportunities for redevelopment in the central area. This includes the option of creating decked parking which would maximise capacity, initially at a single location. This will help to address the looming shortfall, which has been assessed at around 350 parking spaces over and above existing capacity (c. 1,310 spaces)...Once sufficient additional car parking has been provided, the redevelopment potential of other car park(s), which may no longer required for parking, could be 'unlocked'. Such sites could

then be considered for alternative uses that would both enhance the town's role and function and benefit its economy. In considering any redevelopment options for existing car parks, it is important to bear in mind that land might well be required to satisfy potential additional parking needs in the longer term." (paras 7.4.9 & 7.4.10).

Section 7 of the adopted Cirencester Town Centre Supplementary Planning Document (SPD) 2008 remains a material consideration and accords with the principle of ensuring appropriate parking capacity for the town.

Section 6 of the National Planning Policy Framework (NPPF), as updated July 2018, promotes the building of a strong, competitive economy to achieve economic growth. Paragraph 80 states that "Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future." Paragraph 81 requires that planning policies should "set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration".

#### Built Heritage Impact

The proposals would affect the setting of the former Railway Station building, by Brunel, which is a Grade II listed building, and would also affect the setting of nearby listed buildings such as the Grade II listed 25 and 25A Sheep Street and on the west side of Sheep Street, opposite the site, and Apsley Hall. The Local Planning Authority is therefore statutorily required to have special regard to the desirability of preserving the setting of the identified listed buildings, in accordance with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

The proposed structure would also affect views into and from the Cirencester Town Centre Conservation Area, wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Policy EN10 of the Cotswold District Local Plan states that "Development proposals that sustain and enhance the character, appearance and significance of designated heritage assets (and their settings), and that put them to viable uses, consistent with their conservation, will be permitted" and that "Proposals that would lead to harm to the significance of a designated heritage asset or its setting will not be permitted, unless a clear and convincing justification of public benefit can be demonstrated to outweigh that harm. Any such assessment will take account, in the balance of material considerations:

- i) the importance of the asset;
- ii) the scale of harm; and
- iii) the nature and level of the public benefit of the proposal."

Policy EN11 of the Local Plan states that development must preserve or enhance the character or appearance of the area as a whole, or any part of that area. It states that development will be permitted unless: it involves the demolition of a building, wall or other structure that makes a positive contribution; new or altered buildings are out-of-keeping with the special character or appearance of the area in general or in a particular location (in siting, scale, form, proportions, design or materials); or there would be the loss of open spaces that make a valuable contribution.

As the Local Plan is up-to-date, it is the starting point for determining any new planning applications. Nevertheless, the National Planning Policy Framework (NPPF), as updated July 2018, is also a material planning consideration.

Section 16 of the NPPF addresses the conservation and enhancement of the historic environment. Paragraph 189 states that "In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance." When considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). It also states that significance can be harmed through alteration or development within the setting, and any harm should require clear and convincing justification. Paragraph 195 states that, where a proposed development will lead to substantial harm, applications should be refused unless it is demonstrated that that harm is necessary to achieve substantial public benefits. Paragraph 196 states that, where a development proposal will cause harm to the significance of a designated heritage asset that is less than substantial harm, that harm is weighed against the public benefits of those works. Paragraph 197 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account and that a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset.

The Old Railway Station building itself is a listed building and therefore the importance of preserving its setting is explicit in relevant policies. In terms of impact upon the conservation area, the building makes a positive contribution to the character of this part of the conservation area. The Cirencester Conservation Area for that part of the town centre does, however, refer to the negative impact that is caused to the character and appearance of the Conservation Area (and the building's setting) by the public car parking.

In the above context, officers conclude that, even on a temporary basis, the erection of the structure proposed would simply exacerbate and draw the eye to the inappropriateness of the building's setting, in addition to further reducing the remaining historic townscape value of the building by blocking public views. Consequently, officers consider that, whilst we acknowledge the need to review all options for addressing the town's parking shortfall, we consider that the



above site is too sensitive and prominent in terms of built heritage to accommodate such a visually 'industrial' structure, even on a temporary basis. The site is part of an important 'gateway' to the town and its historic centre, which affects the setting of a number of listed buildings, including the old railway station building within the site itself, and the setting of the town's conservation area.

We therefore consider that the proposal would be contrary to Local Plan policies EN1, EN2, EN10 and EN11, and the related policies of the NPPF. We feel that the significance of the harm caused would outweigh the public benefit in this case and on the basis of the information currently provided. Unless an overwhelming case could be made in relation to the public benefits as part of a masterplan strategy for the town, it is unlikely that officers would support the proposal.

### Highways Issues

Highway impact and accessibility issues are also material considerations in respect of the proposals in respect of increasing the use of the access and manoeuvring within the site, having regard to Local Plan policies 38 (Accessibility to and within New Development) and 39 (Parking Provision) and section 4 of the NPPF. The Highways Officer has commented as follows:-

"Access visibility requirements for junctions onto the existing highway, subject to intensification, should be commensurate with the 85th percentile wet weather recorded vehicle speeds carried out in accordance with DMRB (Design Manual for Roads and Bridge) TA22/81 and annotated on the submitted plans. In the absence of speed surveys of approaching traffic at extent of available splays according to DMRB TA22/81 visibility should be commensurate with the sign posted speed limit (30mph) which according to Manual for Gloucestershire Streets guidance should provide 2.4m x 54m splays in either direction to nearside carriageway edge. The junction visibility splays should be demonstrated on annotated plans. The dimensions of the access will be subject to Swept Path Analysis (SPA). Details of vehicle tracking for the largest vehicle expected to site simultaneously passing a private estate car (1715mm x 4226mm) at the site access junction through all turning manoeuvres as well as throughout the site. The SPA should provide clearance of 500mm to any kerb-line, vertical structure, tree or parking space.

### Layout

Emerging visibility from all internal junctions and forward visibility around bends throughout the layout will need to be demonstrated in accordance with the target design speed; forward visibility should remain within highway land/highway verge. The designer should confirm the design speed of the carriageways in accordance with the guidance contained within Manual for Streets.

### Parking

A parking schedule should be provided detailing the number of allocated parking spaces. The number of spaces provided should be adequate to accommodate the local level of car ownership with an allowance for future growth. All proposed parking should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations in accordance with Paragraph 110 of the NPPF.

#### Highway Safety

The assessment of highway safety including consideration of any critical locations and whether issues will be exacerbated is welcomed. An up-to-date 5 year Personal Injury Collision (PIC) analysis is a robust time period.

#### Audits

A Stage 1 Road Safety Audit (RSA), designer's response, exception report (if required) and risk matrix covering the accesses and internal layout should be provided. Any safety issues identified will require resolving at the planning stage and the design should be altered and re-submitted to the Local Planning Authority addressing issues and recommendations.

#### Archaeology

The proposed development area is archaeologically sensitive since it is located within Cirencester's Roman town and is therefore considered to be a Non-Designated Heritage Asset. In accordance with Local Plan Policy EN12 and the NPPF paragraphs 192 and 197, there should be a presumption in favour of the preservation of the archaeological interest of the site, and a presumption against any development which would result in the archaeology being harmed or lost unless public benefits outweigh that harm.

If there are no below-ground intrusions required for construction as a result of the current proposals, there would be no archaeological implications. Any planning application made for this scheme should confirm the proposed method of construction.

#### Biodiversity

Having regard to section 15 of the NPPF, the former station building may have potential to be used by bats and the proposed development might affect flight lines, light levels in relation to their use of the building. Paragraph 170 of the NPPF requires that local planning authorities should aim to contribute to and enhance biodiversity in considering planning applications and should encourage opportunities to incorporate biodiversity in and around developments. We would therefore require an Ecological Assessment to be submitted, which must include any necessary mitigation and/or enhancements that can be provided as part of the redevelopment.

#### **Conclusion:**

It is the conclusion of officers that, for the reasons explained, the harm identified under the heading of Built Heritage Impact would be likely to outweigh any public benefit of the delivery, on a temporary basis, of replacement public parking.

Without prejudice to the above conclusion, in the event of a planning application being submitted, it should, *inter alia* and in addition to the provisions of the Council's Validation Checklist (please see the following weblink <http://www.cotswold.gov.uk/residents/planning-building/planning/making-a-planning-application/planning-forms/>), be accompanied by a heritage statement, an archaeological assessment, ecological survey and assessment and a Transport Assessment to address the intensification of the use of the access. Submission of this information will, of course, reduce the need for pre-commencement conditions.

It is also recommended that any future application should be submitted with a Planning Performance Agreement (PPA), which we increasingly find is of value in partnership working through the application process (please see the following weblink for further information <http://www.cotswold.gov.uk/residents/planning-building/planning/making-a-planning-application/planning-performance-agreements/>).

**Please note:**

Any advice given by Council officers, whether verbal or in writing, for pre-application enquiries does not indicate any formal decision by the Council as local planning authority. Any views or opinions expressed are given in good faith, and to the best ability, without prejudice to the formal consideration of any planning application following statutory public consultation, the issues raised and evaluation of all available information.

You should therefore be aware that officers cannot give guarantees about the final formal decision that will be made on your planning or related applications. However, this advice note will be considered by the Council as a material consideration in the determination of the future planning related application(s), subject to the proviso that circumstances and information may change or come to light that could alter that position.

It should be noted that the weight given to pre-application advice notes will decline over time.