

COTSWOLD DISTRICT COUNCIL

COUNCIL MEETING

3<sup>RD</sup> JULY 2019

Present:

Councillor Dilys Neill - Vice-Chair (in the Chair)

Councillors -

Stephen Andrews	Roly Hughes
Mark Annett (until 8.15 p.m.)	Robin Hughes
Julian Beale	Sue Jepson
Gina Blomefield	Julia Judd
Claire Bloomer	Richard Keeling
Tony Berry	Juliet Layton
Ray Brassington	Andrew Maclean
Patrick Coleman	Nick Maunder
Rachel Coxcoon	Richard Morgan
Tony Dale	Dilys Neill
Andrew Doherty	Richard Norris
Mike Evemy	Gary Selwyn
Jenny Forde	Lisa Spivey
Mark Harris	Ray Theodoulou
Nikki Ind	Steve Trotter
Stephen Hirst	Clive Webster

Apologies:

Joe Harris (absent on other Council business)	Nigel Robbins
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CL.14 DECLARATIONS OF INTEREST

Councillor Ind declared an interest in respect of Agenda Item (12) Motion 5 of 2019/20 re Valley Trading, as she had served as Vice-Chair of the Planning Committee when the Council had commented on the application.

Councillor Hirst declared an interest in respect of Agenda Item (12) Motion 5 of 2019/20 re Valley Trading, as he was a Member of Gloucestershire County Council's Planning Committee, who would be determining the application.

There were no declarations of interest by Officers.

CL.15 MINUTES

**RESOLVED that:**

**(a) the Minutes of the Meeting of the Council held on 26<sup>th</sup> February 2019 be approved as a correct record;**

**Record of Voting - for 15, against 0, abstentions 17, absent 2.**

**(b) the Minutes of the Annual Meeting of the Council held on 14<sup>th</sup> May 2019 be approved as a correct record.**

**Record of Voting - for 32, against 0, abstentions 0, absent 2.**

Note:

The Head of Paid Service informed Members that the Minutes of the Special Council Meeting held on 27<sup>th</sup> June 2019 were still being finalised and would be presented at the next Council Meeting on 25<sup>th</sup> September 2019.

**CL.16 ANNOUNCEMENTS FROM THE CHAIR, LEADER OR HEAD OF PAID SERVICE**

(i) Filming/Recording of Proceedings - the Chair 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.

(ii) Meeting Times - the Chair referred to the fact that the Meeting was the first Council Meeting of the new Council term to start at 6 p.m. and explained that this formed part of a one year trial period for meeting times in determining the best options for Members and Officers of the Council, and the public.

(iii) Member Behaviour at Meetings - the Chair reminded Members of the requirement to be brief and succinct when asking questions or making comments and to observe courtesy and to not interrupt other speakers. She also quoted former American President, George HW Bush - 'I have opinions - strong opinions - but I don't always agree with them.'

(iv) Exempt Agenda Item (15) - Property Matter - the Chair and Head of Paid Service informed Members that this item, included on the Agenda as a holding item, had now been withdrawn as there was no further discussion or decision required by Members at the current time.

(v) Corinium Museum - "Stone Age to Corinium" - the Chair invited the Cabinet Member for Health, Well-Being and Public Safety to brief Members of a project being undertaken by the Corinium Museum. The Cabinet Member informed those present that the Museum was currently in the process of a £1.6 million refurbishment. Funds raised by the Town Council and other interested parties already totalled £1.4 million, and a further £150,000 was required to complete the works to ensure the artefacts contained within the Museum's collection would be safeguarded for all to enjoy. An 'adopt and object' sponsorship project had also launched.

**CL.17 PUBLIC QUESTIONS**

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

(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?'*

Response from Councillor Joe Harris

'We are currently taking stock of the various Cirencester-related initiatives, and this will form the key item for the first meeting of the Cirencester Master Plan Working Group, to be held shortly.'

Mr. Fowles thanked the Leader for his response and commented that there appeared to be confusion and frustration amongst those community groups and those within the business community who had attended the Futures event regarding future plans. By way of a supplementary question, Mr. Fowles asked if the Leader could clarify if the Cirencester Master Plan Working Group was the new name for the Cirencester Futures Partnership and if so, would the Group now deliver the conclusions of the conference of working groups and would its membership include strong representation from the private sector. Mr. Fowles added that he would also submit his supplementary question in writing to the Leader.

In the absence of the Leader from the Meeting, the Cabinet Member for Car Parks and Town and Parish Councils responded that the Cirencester Futures Partnership had always been considered as an umbrella for other groups to cover works and not as a body in itself. He added that there were a number of slight problems with the Cirencester Futures Partnership but confirmed that work would be undertaken to eradicate these and concluded that local businesses would be included within any future groups.

(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?'*

Response from Councillor Mark Harris

'Thank you for your question Mr. Fowles.'

Several updates have been made to Town organisations regarding the various car parking initiatives. Most recently, a public meeting was held at the Rugby Club on 5<sup>th</sup> June; Cirencester Town Council

was updated on 11<sup>th</sup> June; Park Community Group on 19<sup>th</sup> June; and Watermoor Community Group on 24<sup>th</sup> June.

The two main initiatives are the formalisation of the car park at the Rugby Club and the Waterloo Car Park proposals. The Rugby Club initiative will allow us to decant permit holders while the other project, the Waterloo Car Park, is built - this was reported in the Wilts & Glos Standard on 20<sup>th</sup> February and, around the same time, we produced leaflets and distributed them to local residents and businesses outlining the plans. Those plans have not changed.

A planning application has been submitted for the Rugby Club proposal. Between 15<sup>th</sup> and 26<sup>th</sup> July, there will be displays relating to the Waterloo Car Park in the Fleece Hotel and a drop-in consultation will be held at the same venue on 18<sup>th</sup> July. We hope to show the first ideas from the three Architects who have been selected to compete for the job to design the wrap for the building which will make full use of the latest technology, solar panels and water recycling.

You'll appreciate that timings change, but with a fair wind and no hold-ups, we would hope that the Rugby Club could start a 12-week build at the beginning of October. The Waterloo has more hurdles to jump, but again we could begin a 9-12 month build in the summer of next year.

You will also be aware that the Bathurst Estate has a planning application awaiting decision for 250 car parking spaces at The Kennels site. If approved, this will remove 200 commuter parkers from the town centre as the new spaces are being leased by a local company.

You can email [parking@cotswold.gov.uk](mailto:parking@cotswold.gov.uk) at any time with any specific questions that are not already addressed on the parking section of the website, and of course you can ask me for an update at any time.'

Mr. Fowles thanked the Cabinet Member for his response, particularly regarding the dates and deadlines in respect of the Waterloo, Rugby Club and Bathurst Estate car park proposals. He explained that the matter was of great importance to the residents of Cirencester and, by way of a supplementary question, asked if, given the continued delay regarding the Waterloo decked car park, the Cabinet Member could provide an update on the demolition of the Old Memorial Hospital and the provision of 28 net additional spaces; and, given the lack of parking within the town, if it was the administration's plans for increasing parking space numbers at the site via a temporary decked car park at the Old Memorial Hospital or the Old Station site.

The Cabinet Member responded that Agenda Item (9) of the Meeting related to the suggested discontinuance of proposals to create temporary decked car parking at the Old Memorial Hospital site, and explained that the report set out the rationale for this changed approach.

- (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?'*

Response from Councillor Joe Harris

'Whilst the viability assessment had originally been considered to be a confidential document, following discussions with the Council's external legal advisor (in the light of then recent case law), and with the consent of the applicant, the decision was taken to make the document publicly available. This was done in advance of the September 2017 Special Council Meeting, and the document appears as Appendix 2 of the Additional Pages dated 22<sup>nd</sup> September 2017. The document was available on the website from that date. Specific reference to this change is contained within the Minutes of the Special Council Meeting, on page 37. A 'hard' copy document can be provided to you should you so wish.'

Mr. Moylan commented that in advance of the September 2017 Special Council Meeting, a significant amount of papers and reports had been published on the Council's website regarding the application but that the documents had featured, in his view, confusing numbering and could not be easily followed. Whilst acknowledging that they had probably been sufficient at that point in time to support the application. He noted that on the web site the viability assessment documents had a number of different dates and that the latest one was still referred to as a draft assessment, which suggested that there would be a final version.

In referring to the delay of eighteen months from September 2017 to March 2019 before the S106 agreements were signed, Mr Moylan stated that any people were concerned not only at such delay but also as to whether further viability documentation existed and whether records were kept of meetings. By way of a supplementary question, and for openness, Mr Moylan asked the Council to reveal all the viability material it held in regard to the application.

In the absence of the Leader from the Meeting, the Deputy Leader and Cabinet Member for Finance asked Mr. Moylan to submit his supplementary

question in writing so that the Leader could provide a full written response in due course.

(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?'*

Response from Councillor Joe Harris

'Officers have been working on, and have recently provided me with, two documents which compare the Heads of Terms presented to the Special Council Meeting in January 2018 to the final S106 agreements signed in April 2019.

For ease of reference, I have asked Officers to try to combine these two documents into one, and I will ensure that either one composite document, or the two original versions, are provided to you, and also uploaded onto our website against the application, by the end of next week at the latest.'

Mr. Moylan was grateful for the response, which sought to deliver a commitment previously made to produce and publish documents which set out the matters contained in the S106 Agreements and what would be delivered. Mr. Moylan expressed his surprise that Officers had not already undertaken a comparison of the sort requested, and wondered how without this comparison, or something similar, the previous administration could have satisfied itself that the agreement was delivering all the promises made in the S106 heads of terms.

He stated that the public appeared to have suspicions that the previous administration rushed through the agreement before the local council elections in May, which might have allowed an evasion of the obligations in the S106 heads; and asked what the Council intended to do about this situation.

In the absence of the Leader from the Meeting, the Deputy Leader and Cabinet Member for Finance confirmed that the Leader had requested that Officers seek to combine the two documents and then make the information available on the Council's website. He also asked Mr. Moylan to submit his supplementary question in writing so that the Leader could provide a full written response in due course.

Councillor Berry, by right of reply, explained that he considered the decision not to have been 'rushed through' and confirmed that the decision had been

closely monitored. With regard to documentation, he confirmed that all the information was, and had been, available on the Council's website, but accepted that accessibility might have been difficult.

- (5) Question from Mr. Ray Jenkins, Chairman of Down Ampney Parish Council, to Councillor Jenny Forde, Cabinet Member for Health, Well-being & Public Safety

*'Local residents, who are current users of the Fairford Leisure Centre and who have benefitted from this important facility, are shocked to hear that it is closing. Could the Cabinet Member please confirm whether or not this centre is closing; and, if so, why?'*

Response from Councillor Jenny Forde

'Linked to a strategic review and options appraisal of the Council's Leisure and Cultural Services, Farmor's School in Fairford requested a transfer of the dual use facilities to the School, rather than such facilities being included in an outsourced contract award to SLM. This followed a period of extensive consultation with the School during which the School reviewed the operating costs and income. In agreeing to the School's request, the administration at the time gave a generous support grant and the School set up a limited company to run the facilities. In short, the asset and rights and responsibilities, including the community use of the leisure facilities, were transferred to the School. The Council therefore has no management, ownership or control of the facilities.

Despite the grant payment, and also agreed variations to reflect patterns of use and enable the more effective use of resources, the School recently advised us that, without further ongoing subsidy, the community use of the facilities is financially unsustainable.

We understand that the School wrote a letter to their members in which they stated that they were "keen to keep the buildings available for community use"; and they also went on to say they would "like it to be known that we are exploring ways in which we can continue to provide as many of the Sports Centre facilities as we can for the local community which is something we feel strongly we want, and should be able to maintain." I'm sure the School would welcome any support that the community would like to give to ensure this happens.

For further information, you would need to contact the School, as the decision is theirs. However, as we all know, schools generally have very little capital and increasing pressures to continue to drive up standards and educate our children.'

Mr. Jenkins was not present at the Meeting.

- (6) Question from Mr. Ray Jenkins, Chairman of Down Ampney Parish Council, to Councillor Jenny Forde, Cabinet Member for Health, Well-being & Public Safety

*'In the Liberal Democrat manifesto 2019 entitled 'Because the Cotswolds deserves better' you pledge on page 8 to provide 'better health, well-being, social mobility and community safety'. Specifically, there is a bullet point in which you pledge 'to promote healthy lifestyles by working with the District's leisure centres, gyms and fitness clubs'.*

*How does this pledge equate to the rumours about Fairford, how can you justify these rumours and what are your proposals for the well being of residents in Down Ampney?'*

#### Response from Councillor Forde

'I have sought to deal with the School's situation in my response to your first question - from a factual perspective rather than 'rumour', which by definition is 'a circulating story or report of uncertain or doubtful truth'.

More widely, on learning about this unfortunate prospective closure, it has strengthened my belief that what we need is a more holistic approach to health and fitness across the Cotswolds, underpinning our Manifesto pledge.

The challenge at Farmors is a very present and real example of the challenges we face in accessing health and fitness in our rural communities. Recent statistics I requested from Sport England confirm that only 11.8% of the population attend a fitness centre - so we need to be much more creative in our approach.

We are in a strong position to support the long-term health of our residents and there are already a number of pilot projects underway across the District - by way of example, a pilot project in Bourton-on-the-Water is testing the District Council's effectiveness in improving the health outcomes of residents. It is hoped that, as a result of this intervention, the community in Bourton will be more aware of services, able to access wider range of opportunities, and be more actively engaged in matters concerning their own health. If successful, we can replicate the successes across similar areas.

I also look forward to attending the Community Well-being Action Day in the Autumn in which there is a collaboration between Fairford and Lechlade.

I feel sure that I'm already preaching to the converted when I say we have a number of challenges to contend with in terms of access to fitness activities - issues such as rural transport, isolation, communication, and broadband/mobile phone signals amongst others. We also need to ensure that our existing leisure centres are responsive to the changes in demand from their users and I look forward to our future plans for these facilities.

I believe access to exercise should not be imposed on residents by their councils or providers but driven by their needs as a community. I am always open to ideas from the residents of Down Ampney and indeed across the Cotswolds.



Finally, moving back to the issue at Fairford - notwithstanding the need for a holistic approach to provision for the District as a whole, we are already looking at ways in which we can possibly help. By way of example, at our request, our Leisure Management Contractor has put together a 50% reduced rate membership package for existing users - which will be provided as an option to encourage users to move to the Cirencester facility and reduce the risk that those users stop taking part in leisure activities. We believe - and I am sure that residents will agree - that this is the most sensible and pragmatic approach, as it does not make any sense to plough further public money into what, regrettably, is a proven failing enterprise.'

Mr. Jenkins was not present at the Meeting.

Note:

The Head of Paid Service informed Members that Mr. Jenkins was unwell and had therefore been unable to attend the Meeting; and confirmed that that any supplementary questions would be answered by the Cabinet Member outside of the formal Meeting.

CL. 18 MEMBER QUESTIONS

- (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?'*

Response from Councillor Joe Harris

'This Council will be undertaking a review of governance arrangements in the near future, which will include looking at the pros and cons of both the cabinet system and the committee system. In light of that, I feel it would be unfair to prejudge that process.

I know from my own experience of the cabinet system when I was a back-bencher that it can lock some members out of decision-making, which is something that this administration wants to avoid.'

Councillor Theodoulou thanked the Leader for his response and by way of a supplementary question asked if the Leader whether (i) he considered that an oversight of the committee system was redundant and also provided the opportunity for a Leader to hide behind group decisions; and (ii) he was therefore willing to agree to the current set-up which ensured democracy existed.

In the absence of the Leader from the Meeting, the Deputy Leader and Cabinet Member for Finance responded that he was aware the Leader wished to investigate the benefits and consequences of both systems and explained that a Motion, which would be debated later in the Meeting, included the creation of a working group to deal with this matter in a cross party approach.

The Head of Paid Service informed Members that for as long as the current Cabinet system remained in place, there was a legal requirement for Overview and Scrutiny Committee arrangements to remain.

(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?’*

Response from Councillor Joe Harris

‘The decision to move Council meetings into the afternoon (2pm) and the evening (6pm) was something the Liberal Democrats frequently raised whilst in opposition. We’ve got a comprehensive plan for the Cotswolds which includes looking at how we can improve access to democracy. In the immediate period following the local elections, Lib Dem Councillors felt that meeting times and dates was something we could alter in order to help realise this aim.

We’ve got a diverse group of Councillors, which includes four mothers whose children are all under the age of 16, working and retired people, as well as young and old people - I felt as though this was an adequate litmus test of overall availability.

As I’m sure you know, many residents who work during the day have complained that District Council meetings held in the morning mean they can’t attend, and I can even remember two or three businesses in Cirencester branding the Council ‘anti-business’ whilst we were discussing parking charges because of morning meetings. By moving some of the meetings to the afternoon and others to the evening, we empower a whole new set of people who will be able to attend.

You have also raised the issue of the next budget meeting starting at 6pm - we had originally intended this meeting to commence at 2pm but owing to the previous administration’s decision to share a section 151 officer with West Oxfordshire District Council that officer has to be in Witney for their budget meeting which commences at 2pm. This is something I will review in consultation with Officers and other Members.

I have also previously stated that the arrangement will be trialled during the current year, and then reviewed in the light of experience. If there is a need for greater flexibility during the year, including for meetings where business may run on longer than usual, then this will be considered.

As you will see from the Council agenda, there is a motion from Councillor Jenny Forde that specifically highlights meeting times and dates. I trust that you will give feedback and raise your concerns in a constructive manner as part of this process.

It is worth noting that I don’t ever recall being consulted on meeting times whilst you were part of the administration and, having spoken to former Councillor colleagues, they don’t ever remember being consulted on this issue whilst you were the Chair of Council.

Insofar as Officer attendance at evening meetings is concerned, the Head of Paid Service has confirmed that he would expect that this will be covered by way of flexible working arrangements, such as a later start time by affected Officers on the morning of a meeting. As such, no additional costs are envisaged.

We will consider holding future Council meetings in Moreton and indeed in other areas of the Cotswolds. I hope the Constitution Working Group will look at the practicalities and cost of doing this.'

Councillor Jepson thanked the Leader for his response and commented that she did not consider the Leader to have answered her question in regard to any consultation that had taken place with Members. She also stated that she was sorry that the Leader could not recall meeting times being considered and debated by full Council in the past and explained that the decision of the previous Council, which had included some Members of the Leader's current group, had been to uphold the decision of the former 2003 administration. Councillor Jepson expressed that she would be satisfied if some Council meetings were held at the Council's Offices in Moreton-in-Marsh, but expressed concern at the use of venues where hire charges were payable. By way of a supplementary question, Councillor Jepson asked if the Leader could stand by his promise that a transparent decision would be made at the end of the one year trial of evening meetings.

In the absence of the Leader from the Meeting, the Deputy Leader and Cabinet Member for Finance responded that a Motion that would be debated later in the Meeting which included reference to meeting times and that he hoped Councillor Jepson would participate in the debate. He added that Members were required to work for the residents of the District and not for themselves or for Officers and therefore needed to engage with members of the public.

(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?'*

Response from Councillor Joe Harris

'No. I intend to follow the precedent set by the former Conservative Leader of this Council, Lynden Stowe, who successfully carried out both roles for eight years.'

By way of a supplementary question, Councillor Beale asked if the Leader would consider revising his decision for himself and the Deputy Leader to sit within their party group members whilst attending meetings of the Council in the Council Chamber and to instead return to sitting on the dais.

In the absence of the Leader from the Meeting, the Deputy Leader and Cabinet Member for Finance responded that he considered it unlikely that the Leader would change his earlier decision.

(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?’*

Response from Councillor Mark Harris

‘Thank you for your question Councillor Morgan.

As a town and parish councillor, I know that town and parish council meetings are not the best place for a two-way conversation about how we work with each other. Those meetings are more formal and deal with the business of the council as laid out by their standing orders.

As such, I am meeting with towns and parishes in dedicated meetings to find out what they are up to and how we can help each other make local government and our respective activities better for residents.

I have met three times with Alison Robinson, CEO of the Gloucestershire Association of Parish and Town Councils (GAPTC), and we are designing, with our Head of Paid Service, a survey for local councils to identify how best we can understand their needs and how to communicate better with each other.

I have met with Moreton-in-Marsh Town Council and will be returning on 24<sup>th</sup> July to discuss parking with them and GCC.

I will be meeting with Northleach with Eastington Town Council in September; I have liaised on a number of local issues in Barnsley with Councillor Spivey and the Chairman of the Parish Meeting; and have responded to enquiries from Shipton Moyne Parish Council via Councillor Ind.

I will be meeting with South Cerney Parish Council to better understand their community composting scheme so I can share best practice, not just across other parishes, but with my colleagues with responsibility for environmental services.

I will be attending the “Community-Led Housing in the Cotswolds” event in Northleach on 4<sup>th</sup> July, where I look forward to hearing about the work being done in Eastington with a Community Land Trust.

On Saturday 20<sup>th</sup> July I’ll be attending the AGM of GAPTC, where I hope to have a conversation with Councillor Liz Hodges from Chipping Campden Town Council.

So, the short answer is I am not going to town or parish meetings but I have met, and am meeting, with towns and parishes.’

Councillor Morgan thanked the Cabinet Member for what he considered to be a very detailed and comprehensive response and, by way of a supplementary question, asked if the Cabinet Member’s response and further information since sent to him by the Cabinet Member could be made available in a public record for transparency.

The Cabinet Member responded that he was happy to comply with the request.

CL.19 PETITIONS

No petitions had been received.

CL.20 FUNDING ALLOCATIONS - 2018/29 BUDGET SURPLUS

The Council was requested to consider a recommendation from the Cabinet in respect of the use of the 2018/19 budget surplus.

The Deputy Leader and Cabinet Member for Finance introduced the item and confirmed that the recommendations regarding the Transfers to Reserves was as outlined within the third paragraph of the circulated report. In this connection, he reminded Members that the Council would be facing a fundamental change in its waste fleet in the coming months and would therefore need to prepare for any unforeseen expenditure. The Deputy Leader then commended the report to the Council for approval.

A Member commented that, given the Council's recent decision to not support the continuation of leisure facilities at the Fairford Sports Centre, he wished to see part of the budget surplus put forward to assist with this issue so as to enable many residents of the District to continue using, what he considered to be, an important facility that should continue to be provided.

Another Member added that he supported the suggestion made and explained that the centre at Fairford had been the victim of poor management and that the Council had seemed to many to be unwilling to help. He also stated that he considered it vital that health and leisure facilities should be provided equally across the entire District and that a reduction in the rate of membership at Cirencester Leisure Centre would be, in his view, of little use to those residents in Fairford who wished to use a local facility and/or had no access to transportation.

The Cabinet Member for Health, Well-Being and Public Safety stated that she had addressed a number of these matters in her response provided to Public Questions (5) and (6) earlier in the Meeting. She further explained that schools currently faced a shortage of funding from central government and had to respond to many changes whilst still trying to drive up standards. She added that one of the Council's administration's main targets would be to increase fitness levels and accessibility to leisure facilities across the District. The Cabinet Member concluded that the Council were investigating approaches to assist the centre at Fairford but explained that a 50% reduction rate for membership at Cirencester Leisure Centre was the most sensible approach as it was not considered suitable for more public money to be invested into the facility at Fairford at the present time.

A Member responded that residents in Fairford were at risk of losing an excellent community facility owing to previous poor management and he requested that following discussions between the Council and the school, a member group be set up to investigate options to ensure the facility was not lost.

The Deputy Leader informed the Council that the Cabinet Member had provided detailed answers to the concerns raised by both Members of the Council and members of the public. He added that the Council should not

seek to continue to spend rate/tax payers' money on a business facility that was failing and, in addition, explained that the Council needed to be prudent with its finances; and should not seek to take facilities back once they had passed into private management. The Deputy Leader then proposed that the question be now put (in accordance with Council Procedure Rule 14.11)..

Another Member commented that he wished to support the proposal as outlined by the Deputy Leader and explained that those Members who served on the Council's Overview and Scrutiny Committee were ideally placed to provide further cross-party discussion in regard to the item. He seconded the Motion.

**RESOLVED that the question be now put.**

**Record of Voting - for 18, against 14, abstentions 0, absent 2.**

The Deputy Leader was then invited to conclude the debate and explained that the issues raised related to the administration's plans and the fact that the Council was looking to hold funds in its reserves owing to the upcoming changes in regard to the waste service, and in the event of any unforeseen circumstances.

**RESOLVED that the 2018/19 underspend be allocated as set out in paragraph 3 of the circulated report, i.e. £490,000 to the Council Priorities Fund, and £1,362 into the Council General Fund.**

**Record of Voting - for 18, against 12, abstentions 2, absent 2.**

**CL.21 TEMPORARY DECKED CAR PARKING IN CIRENCESTER**

The Council was requested to decide whether or not to progress the previously-approved temporary decked parking project.

The Cabinet Member for Car Parks and Town and Parish Councils introduced the item and explained that the original proposals had come forward from the previous Leader of the Council, Councillor Tony Berry, as he considered there was an urgent parking issue within the town which required addressing.

The Cabinet Member informed the Council that the Parking Board had investigated a number of different options and considered that the issues regarding the creation of a temporary decked car park within the town would both be time-consuming and would only provide around 100 extra spaces whilst removing the footprint of some existing spaces. He added that some residents had also indicated they did not wish for a temporary car park to be built and drew attention to the pre-application advice received in respect of the proposals, which had not been positive.

Members were also informed that an application had been submitted for parking at the Waterloo site with an estimated completion date of around late 2021 and that this would increase parking provision within the town by 400 spaces; and that a further 150 spaces would be provided at the Rugby Club. In concluding, the Cabinet Member explained that, in accordance with advice received from the Council's Conservation Officer, it was the Council's task to ensure that the benefit of any additional parking in the town outweighed any

potential harm caused, which was not the case in this instance. The Cabinet Member then commended the report to the Council for approval.

Former Leader of the Council, Councillor Berry, commented that the Parking Board had been running for three years and had, as yet, produced no further parking provision for the town. He had considered that action needed to be taken urgently and that his aim as previous Leader had been to increase the parking provision, at least in part, within the town by Christmas 2019 and concluded he would support the Council's proposals for the development of the Waterloo Car Park when they were confirmed. It was for this reason that he had also supported temporary decked provision.

The Cabinet Member responded that action was being taken by the Council but that the creation of a temporary decked car park at the Old Memorial Hospital site would create less than 100 spaces. The Cabinet Member also commented that it would have been unlikely, if approved, if the car park would have been in place before Christmas 2019.

In response to a specific Member question, the Chief Finance Officer responded that the funding for the creation of temporary car parking would be met from earmarked reserves.

Some Members drew attention to the fact that the Council had agreed to the demolition of the Old Memorial Hospital, despite some positive heritage comments being made at the time in regard to its retention, in order to increase parking provision in the town at this site.

The Cabinet Member was invited to conclude the debate and explained that Officers were now able to issue the decision notice in regard to the Old Memorial Hospital. He also stated that he had undertaken discussions with the Park Community Group who had expressed concern in relation to temporary decked parking provision.

**RESOLVED that:**

- (a) due to receipt of pre-application planning advice, a scheme to construct temporary decked parking no longer be pursued;**
- (b) the funding allocated for this purpose be released and reallocated as necessary.**

**Record of Voting - for 24, against 7, abstentions 1, absent 2.**

**CL.22 ISSUES/REPORTS ARISING FROM THE CABINET**

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

**CL.23 ISSUES/REPORTS ARISING FROM OVERVIEW AND SCRUTINY AND/OR AUDIT**

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



CL.24 NOTICE OF MOTIONS

The Chair reported that she would allow all Motions to be debated at the Meeting and, in accordance with Council Procedure Rule 12.

(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.'*

In Proposing the Motion, Councillor Evemy explained that the Council had seen a change of administration following the District elections in May 2019 which followed 16 years of the previous administration. He informed the Council that the new administration had a number of commitments within its Manifesto, most notably the creation of a new Corporate Plan.

Councillor Mark Harris Seconded the Motion.

The matter was then opened for debate by the Council.

Various Members drew attention to the fact that a key commitment within the new administration's Manifesto was to promote leisure services within the District, but highlighted that this was contrary to the recent decision taken to cease the provision of leisure services in Fairford. Those Members also commented that they considered that the production of a new Corporate Plan should involve all Members of the Council and not just solely the Leader and Cabinet.

Another Member drew attention to the intention that the Plan would be presented at the September 2019 Council Meeting for discussion and debate by all Members, and suggested that this was a tough timetable to meet for the administration.

Councillor Evemy was then invited to address the Council again. Councillor Evemy explained that the production of the Plan would feature significant Officer involvement alongside Member input and that the Leader was seeking to deliver on the administration's Manifesto in a timely and effective manner. He added that the Council was not seeking to deny any resident of the District access to leisure facilities and stated that this provision would be at the forefront of the administration's plans going forward. He concluded that the Plan was an attempt to change a number of the aims of the previous administration's Corporate Plan, not all of which were considered to be in-line with the new Council ambitions.

**RESOLVED that the Motion be supported.**

**Record of Voting - for 17, against 5, abstentions 10, absent 2.**

Note:

The Head of Paid Service informed the Council that Cabinet would produce a Forward Plan which would be in addition to any work undertaken on the Corporate Plan.

(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.'*

In Proposing the Motion, Councillor Coxcoon explained that climate change was not a political issue but a matter that affected everyone. She added that if no action was taken to reduce global greenhouse gasses then the damage would be seen worldwide and that the effects would also be felt closer to home. Councillor Coxcoon stated that the UK was one of the biggest emitters of carbon and that a 0% carbon target could be cost effective, but that it was now the time to ensure the District committed to taking its turn at preventing any further damage for the future. The Council was informed that a vast amount of evidence existed that lowering the carbon rate would deliver various benefits and she commented that if no action was taken, the costs would be high and the impacts on the most disadvantaged would be severe. Councillor Coxcoon also drew attention to the number of members of the public present at the Meeting who had demonstrated their interest in regard to the Motion and stated that both Member and Officer time would be required to be dedicated to this issue to deliver actions on behalf of all residents of the District.

In Seconding the Motion, Councillor Maclean explained that, as the first Green Party Member of the Council, he was delighted to have been asked to second the Motion. Councillor Maclean explained the issue crossed all party boundaries and highlighted that his personal experience within slums in Mozambique had shown that those who had had little input to the worldwide issue were still facing the consequences just the same. He added that the

Council and others should thank the younger generation of society for bringing the issue to the forefront of those who were able to take positive action and concluded that, given the County's Council recent decision to declare a climate emergency, he hoped the Council would also support the Motion to enable positive change to be delivered for all.

Prior to opening the Motion for discussion and debate, the Chair extended her thanks on behalf of the Council to those members of the public present at the Meeting for their interest shown in the Motion.

Councillor Layton was then invited to introduce Holly Elphick and Amber Kimberly, both of South Cerney, to the Meeting. Councillor Layton explained that both had spoken recently at a meeting of South Cerney Parish Council and would now address this Council in regard to the Motion.

Miss Elphick explained that the warmest 20 years on record had occurred over the past 22 years and that humans could have considered to have caused a climate catastrophe. She explained that the world was facing the consequences of not taking action sooner and would therefore need to take urgent action by 2030 before the damage would become irreversible. Miss Elphick added that the District had experienced recent flooding and this and other strains on resources would become greater as climate change became more extreme. She concluded that if the Council were to declare a climate emergency at the Meeting, then this would commit the Council to taking action and to encourage residents of the District to live more sustainably.

Miss Kimberly stated that climate change would affect many of those present at the Meeting during their lifetimes. She explained that over 1 million species had already been forced to extinction owing to the negative effects of climate change and that products were continuing to be produced that would be in existence for over 1,000 years. Miss Kimberly added that, by 2030, if no action had been taken, then famines were predicted across the world and there was therefore a requirement to ensure that carbon emissions were reduced by 50%. Miss Kimberly concluded that the most dramatic change would be to live within the world's limits and that as those present were considered to be in the 10% of the world's wealthiest, it was critical the Council played a part in a worldwide urgent need to change.

The matter was then opened for debate by the Council.

Councillor Morgan, as Leader of the Opposition Group, stated that his Group would be supporting the Motion and that a large amount of work was already planned by the Council to involve all Members. Councillor Morgan also drew attention to recent work undertaken by the Council which included the introduction of a fly-tipping Officer; work undertaken in regard to air quality on the A417; the cessation of single use plastic within the Council; support for community-led litter picks; increase in levels of recycling across the District; reduction of carbon levels on Council-operated waste collection vehicles; and the introduction of tetra-pak recycling. He concluded that the Council therefore had a proud record of taking action, but stressed that much more work was still required.

Various Members expressed their thanks to Miss Elphick and Miss Kimberly for their presentations and for taking action within their own community. Those Members also drew attention to the fact that each Ward Member, in

conjunction with their communities, should combine to make a greater difference across the District and how supporting the Motion and its action points would give great weight to achieving any targets.

Councillor Coxcoon was invited to address the Council again. In doing so, she thanked Members for their indication of support for the Motion and highlighted that it was clear that the window available to take action was getting smaller. She concluded that through her professional life working in sustainable energy, she was aware that many authorities were struggling to take action and that she wished for the Council to lead the way for other authorities.

**RESOLVED that the Motion be supported.**

**Record of Voting - for 32, against 0, abstentions 0, absent 2.**

Note:

At this juncture, the Chair informed the Council that Motion 4 regarding the Use of Solar Panels to reduce Carbon Footprint would be discussed and debated next, owing to its connection to the previous Motion.

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

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

*'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.'*

In Proposing the Motion, Councillor Berry stated that he had always been keen to investigate the options in regard to installing solar panels at the Council's Offices as during the night there was very little demand for electricity within the building. He also explained that he would be happy to be involved in discussions and the organisation of the installation, should the Motion be supported.

In Seconding the Motion, Councillor Trotter explained he had no further comments to make.

The matter was then opened for debate by the Council.

A Member commented that he was pleased to see the Motion presented and explained that at the Cabinet Meeting of 21<sup>st</sup> January 2016, he has asked a Member Question in regard to climate change and specifically in regard to the installation of solar panels at the Council Offices. He added that the response had then been that this was being looked into and expressed the hope that support for this Motion would mean swift action would now be taken.

Another Member explained that the wording, once slightly adjusted, fell within bullet points 2 and 3 of Motion 2/2019-20 and commented that as the Cabinet Member with responsibility for Planning Policy, Climate Change and Energy, she had already discussed the installation of solar panels with an Innovation Officer and that a review was expected within six months.

Councillor Berry was invited to address the Council again, but explained he had nothing further to add to the debate.

**RESOLVED that the Motion be supported.**

**Record of Voting - for 32, against 0, abstentions 0, absent 2.**

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

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

*'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.'*

In Proposing the Motion, Councillor Forde explained that the new administration would look to build something new based on rebuilt trust. She explained that decisions taken by the Council affected local people and that, therefore, the Council must maintain public confidence, through abiding to the seven Nolan principles, which served as the basics for all those in public office. Councillor Forde continued that the Council would face important decisions which it needed to make and that meetings and other roles the Council undertook needed to be accessible to all residents of the District. In concluding, Councillor Forde stated that she had every confidence that each Member would support the aims of the Motion to ensure the Council made a real difference to residents' lives and would set an example to other local authorities.

In Seconding the Motion, Councillor Every stated he would reserve his right to speak later in the debate.

A Member commented that he wished to congratulate the Proposer and Seconder on the Motion but that he also wished to see reference to age included in the fifth paragraph of the Motion.

Some Members expressed concern that the change in some meeting times would not be beneficial to all Members owing to travel and seeking the necessary care for relatives and explained that, whilst they supported the Motion, they would expect this change to be reviewed after the year, as had been previously promised by the administration.

Other Members explained that meeting times would never suit all Members and those Members drew attention to the fact that evening meetings benefited those Members who worked full time and also compared against the meeting times of all parish and town council meetings.

Another Member drew attention to the fact that he welcomed the constitution review group but expressed concern that this could prove costly in regard to Officer time.

Councillor Every then spoke in regard to the Motion. He explained that he welcomed the support indicated from various Members and explained that the Council had to make itself diverse in order to be seen to be open to all. He added that the Council should not seek to disqualify those interested in serving as Members solely because they worked full time and explained that each Committee had been asked to review its own timings and to discuss this with its own membership.

Councillor Forde was invited to address the Council again and explained that she had no further comment to make, other than to agree to the amendment as suggested in regard to the conclusion of age within the fifth paragraph of the Motion.



**RESOLVED that the Motion, as amended, be supported.**

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

(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.’*

In Proposing the Motion, Councillor Morgan explained that the application site was within the AONB and also within a conservation area and whilst Valley Trading had undertaken efforts to make their vehicles quieter, the site on which the company was based had increased incrementally over time. Councillor Morgan informed the Council that he considered there to be a number of points that had not been taken seriously and that these needed to be properly scrutinised prior to the application being heard at the County Council’s Planning Committee on 26<sup>th</sup> September 2019. He added that whilst there was a system of delegated authority in place, he hoped the Motion would gain cross party support to enable clarification to be sought in regard to the site being considered a major strategic site on the outskirts of Tetbury. Councillor Morgan concluded that the site, if built, would be approximately half the size of the Javelin Park Waste Incinerator on the outskirts of Stonehouse, which had received 10 years of assessment and scrutiny; and he therefore urged Members to support the Motion to ensure this application received the correct amount of investigation.

In Seconding the Motion, Councillor Norris stated that the A435, which ran adjacent to the site, was the main road into the centre of Tetbury and an increase in HGV usage of the road would only decrease safety to pedestrians and cyclists within the town. He added that there was also the risk of damage to historic listed buildings within the town and that there had been previous recordings of HGVs travelling at speed along Charlton Road. In addition, Councillor Norris explained that an increase in noise and air pollution and reduction in traffic flow could also be expected and drew attention to the fact the application had received over 140 objections.

Various Members expressed their support for the Motion, given that the usage of the site would be for hardcore and rubble and skip hire which would result in multiple movements to and from the site each working day.

In response to a specific Member question, the Head of Paid Service informed the Council that the County Council had suggested that this Council should undertake a consultation in order to obtain the relevant levels of scrutiny, to ensure the County Council had the full information when it considered the application in September 2019.

The Chair informed the Council of an error within the Motion’s wording, with the use, in error, of the word ‘not’ twice in the third paragraph of the suggested resolutions.

Councillor Morgan was invited to address the Council again and explained that he had no further comment to make other than thanking Members for their indicated support to the Motion.

**RESOLVED that, subject to the minor amendment identified, the Motion be supported.**

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

CL.25 SEALING OF DOCUMENTS

**RESOLVED that the Common Seal of the Council be affixed to all contracts, conveyances and any other documents necessary for carrying into effect all resolutions passed by the Council.**

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

The Meeting commenced at 6.00 p.m. and closed at 8.50 p.m.

Chair

(END)