

Public Document Pack



Tuesday, 14 September 2021

Tel: 01285 623210 or 623236
e-mail - democratic@cotswold.gov.uk

COUNCIL

You are summoned to attend a meeting of the Full Council to be held in the Council Chamber, Trinity Road, Cirencester, Gloucestershire on **Wednesday, 22 September 2021 at 6.00 pm.**

Rob Weaver
Chief Executive

To: All Members of the Council

Recording of Proceedings – The law allows the public proceedings of Council, Cabinet, and Committee Meetings to 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 prior to the date of the meeting.

AGENDA

1. **Apologies**
2. **Declarations of Interest**
To receive any declarations of interest from Members and Officers, relating to items to be considered at the meeting.
3. **Minutes 9 - 30**
To confirm the minutes of the meeting of Council held on 14 July 2021.
4. **Announcements from the Chair, Leader of Chief Executive (if any)**
5. **Public Questions**
To deal with questions from the public within the open forum question and answer session of fifteen minutes in total. Questions from each member of the public should be no longer than two minutes each and relate to issues under the Council's or Committee's remit. Any member of the public wishing to ask a public question is requested to contact Democratic Services by no later than 5.00pm the working day before the meeting.
6. **Member Questions**
The following questions have been submitted:

Question from Councillor Julia Judd to Councillor Andrew Doherty, Cabinet Member for the Environment, Waste and Recycling:

This Council notes that an unexpected consequence of Covid-19 has been an escalation in dog ownership. According to the Pet Food Manufacturers Association over 12million of us now own a dog and their Covid-19 Pet Survey confirms a staggering rise in pet acquisition with dogs being the most popular at 57%.

Some of the towns and larger Cotswold villages popular with visitors have suffered from an over-supply of dog waste causing the bins to fill up quickly. Images of dog waste bags lying on the ground around overflowing bins have appeared on social media , especially in Tetbury.

Could resources be made available to address this situation and ensure that sufficient bins are made available and regularly emptied before they overfill where there have been issues?

Questions from Councillor David Cunningham to Councillor Andrew Doherty, Cabinet Member for the Environment, Waste and Recycling:

- 1) In light of the Council's Flood Warden Initiative and the new as yet unseen (I believe) Flood Plan, can the Cabinet Member confirm how much of the impending budget will be allocated for those communities hardest hit by last year's floods.
- 2) Will villages be expected to 'bid' for assistance or will the Council work with the

Environment Agency and other entities to ascertain which communities have the greatest need and have already identified to alleviate solutions to alleviate their flooding issues.

Given this Council's commitment to fighting the climate emergency, will the Cabinet Member acknowledge that this must include taking tangible action against the current effects of climate change and addressing the immediate needs of residents.

Question from Councillor Richard Norris to Councillor Mike Evemy, Deputy Leader and Cabinet Member for Finance:

- 1) Visitors to Cirencester's car parks are experiencing a number of difficulties in paying by APP since the removal of cash payments. Is Councillor Evemy aware of these problems, if so, could he please explain and advise what action is being taken to resolve all difficulties.
- 2) With reference to the decision taken by Full Council on the 17 March 2021 to enter into an agreement with SLM:
 - a) That Council approves a profit sharing mechanism to recover the support offered to SLM as set out at recommendations a) and b).
 - b) The Council will be entitled to take a 75% share of profits in excess of the tendered financial submission until the funding is recovered.
 - c) That authority to sign an agreement with SLM confirming the terms upon which this financial package is based be delegated to the Deputy Chief Executive in consultation with the Deputy Leader of the Council or in his absence with the Cabinet Member for Health and Wellbeing.

Has an agreement in fact been entered into and could this agreement be provided along with confirmation that the terms and conditions are being observed by both parties.

Also provided in Agenda Item 12 at 3.2 an initial positive response from users was reported. Could a separate update on footfall be provided for all four locations (Corinium Museum and the leisure centres in Cirencester, Bourton-on-the-Water and Chipping Camden) over the last six months together with comparable figures for the same months and period last year.

7. Funding for Essential Maintenance of Council Service Property Asset - Cirencester Leisure Centre 31 - 36

Purpose

To request funding for essential repairs at the Council property;
Cirencester Leisure Centre

Recommendations

That Council, as recommended by Cabinet:

a) approves the funding request of £110,000 for maintenance within the Cirencester Leisure Centre Pool Hall.

b) that delegated authority is granted to the Deputy Chief Executive to

update the Capital Programme, the Capital Strategy and the Treasury Management Strategy to include the requested funding.

c) that, if the funding is approved, delegated authority is granted to the Deputy Chief Executive in consultation with the Deputy Leader and Cabinet Member for Finance and the Group Manager for Commissioning to agree the final funding on receipt of the tenders and to award the contracts for the necessary works set out in the report.

8. **Notice of Motions**

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

a) **Motion – Scrap the Proposals in the Planning White Paper**

Proposed by Councillor Rachel Coxcoon, Seconded by Councillor Joe Harris:

Council notes:

The significant concerns expressed through the ballot box in Chesham & Amersham over the Conservative Government's proposed Planning Reforms, including:

- Loss of democratic accountability within the planning system, under a proposed zoning system that would grant presumed consent to development in two of the three zones.
- No commitment to using the planning system to tackle climate change, either through genuinely sustainable placemaking, or through the imposition of a building standards system that will deliver zero-carbon homes.
- The expansion of Permitted Development Rights under this Government, which have already led to the development of 'modern day slums'.
- Widespread concerns and condemnation of the Planning White Paper proposals across Local Government, The Planning and Architecture Sector, and organisations concerned with protecting green spaces and heritage.

Council is concerned that:

Government proposals to deregulate planning will remove the rights of residents to influence or object to inappropriate development where they live.

The Government's proposals pass the costly burden of design codes from developers to local government, and result in codes that will hold no statutory weight.

The proposals in the White Paper, coupled with the weakness of the proposed Future Homes Standard and Design Codes and the ease with which Permitted Development Rights can now be used, means that the planning system is in danger of becoming an active enabler of the climate crisis, rather than part of the

solution.

And finally,

That the proposals in the White Paper, designed principally to speed up the delivery of much needed housing, are doomed to fail on this crucial point, since the slow delivery of housing is demonstrably not a result of delays within the planning decision-making system. Rather, it is the result of land-banking and market manipulation by the development industry. Almost a million homes already have planning permission but have not been built out. Zoning, and thus the allocation of more land for housing, will secure land value increases for a small number of major development companies, but will not alter the speed at which housing comes to the market.

Council believes that:

Residents have the right to a say over development that will change the area they live in.

Local councils, in consultation with their businesses and residents are best placed to understand the issues in their area and respond with a spatial strategy tailored to that area.

The planning system is not fit for purpose if climate change is not the pre-eminent test in decision-making, and local planning authorities are not required to manage emissions through the planning system.

International evidence shows that zoning systems, far from producing the simplified system that advocates suggest, can often result in less transparent, less accountable decision-making than a discretionary, plan-led system. The development industry, not the planning system, is the main cause of slow housing delivery.

Council calls for the Government to:

Scrap the proposals in the Planning White Paper and instead look to the proposals in the 2017 Raynsford Review of planning to shape a fairer, more sustainable, people-centred system.

Ensure that any re-imagined planning system has a statutory purpose at its heart, to be defined in the Planning Acts. We suggest the following, from the October 2020 Common Ground Publication:

“The purpose of the planning system is to positively promote the spatial organisation of land to achieve the long-term sustainable development of the nation and the health, safety and wellbeing of individuals. In the Planning Acts, ‘sustainable development’ means managing the use, development and protection of land, the built environment and natural resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing while sustaining the potential of future generations to meet their own needs.”

And finally,
Ensure that the Planning Acts and the Climate Change Act are bound together in law, making climate change considerations a central test in any planning policy making and decision-making process.

b) Motion - Community Funding for the 2022 Queens Platinum Jubilee Celebrations

Proposed by Councillor Julia Judd, Seconded by Councillor Stephen Hirst:

Council notes that the May Bank Holiday Weekend 2022 will be moved to Thursday 2 June 2022 and an additional Bank Holiday will see a four - day weekend to celebrate Her Majesty The Queen's Platinum Jubilee – the first time any British monarch has reached this historic milestone.

This will also mark the first truly large community gathering since 2019 owing to the Covid-19 pandemic, so could arguably be considered a double celebration. There is likely to be a strong appetite from communities to celebrate this unique milestone.

There is no recent parallel for such an event, the closest being the Armistice commemorations and town and villages will benefit from a long lead time to plan , agree the format and issues such as road closures, refreshments and even catering.

This council therefore resolves to set aside specific community funding to support communities to run special events over the weekend, enabling them to kick-start their plans to organise a one off never to be forgotten event.

c) Motion – Cotswold Shopping Festival

Proposed by Councillor Richard Morgan, Seconded by Councillor Stephen Hirst:

“After the successful vaccine rollout, it seems that the COVID-19 lockdown restrictions will be fully lifted on Monday 19 July (in what some people have labelled “Freedom Day”)

As we all know, throughout the pandemic many of our local businesses have been significantly impacted, and our high streets and town centres have been particularly hard hit.

As Freedom Day approaches, we believe that this Council has a duty to support our high streets and encourage people back into our town centres and help build consumer confidence. For this reason we would like to propose the following Motion:

- CDC launches a “FREE FOR THREE” parking scheme. This would involve offering free parking in CDC Car Parks for three days (Preferably a Friday, Saturday, Sunday long weekend).
- During the “Free for Three” period, CDC would also hire several local musicians, street performers and children’s entertainers to provide small scale, modest popup shows. These small business owners have also been

hard hit during the pandemic so are worthy of support.

- Launch a social media campaign and a PR campaign to publicise a “Free for Three” shopping festival. The marketing to be themed around:
 - o Visit our town centre and park for free.
 - o Bring the whole family and enjoy some local street entertainers.
 - o Do your shopping in our amazing shops and support small business owners.

Retail research has shown that if you can attract a customer to your shop three times, they become a loyal customer and visit again and again. For this reason, if the first “Free for Three” event is successful we should consider running it again. (Once a month for three months.)”

d) Motion – Dog Waste Bin Provision

Proposed by Councillor Julia Judd:

“This Council notes that an unexpected consequence of Covid-19 has been an escalation in dog ownership. According to the Pet Food Manufacturers' Association over 12 million of us now own a dog and their Covid-19 Pet Survey confirms a staggering rise in pet acquisition with dogs being the most popular at 57%.

Many Cotswold parishes suffer from an over-supply of dog waste causing the bins to fill up quickly. It is common to see dog waste bags lying on the ground around overflowing bins, photos of this regularly appear on Social Media, especially in Tetbury.

It is also common to see filled dog waste bags hanging from trees, trodden into footpaths, dropped in grit bins, left lying by gateways or on top of Cotswold stone walls. Requests from Parishes for extra dog waste bins and more frequent collections have been turned down, even if Parishes are prepared to pay for the new bins.

Waste collection is a core service which all Councils are expected to deliver, Council Tax Payers expect it and pay for it. It is a service which upholds the Council's Civic Pride agenda and is imperative for public health.

One Cotswold village was told ‘we are currently unavailable to install any additional litter / dog waste bins.....we have had to put (this) in force across the whole of the district for various reasons and has been previously raised with Cabinet Member Cllr Andrew Doherty. As a result of COVID 19 we have received a high volume of requests for additional bins, we are unable to fulfil these requests at the present time as we have reached our limit on capacity and the amount of weight the vehicle can collect on each round. We are hopeful that with the easing of lockdown measures the volume of waste will reduce to pre-lockdown figures and we can start looking at getting any additional bin requests installed.’ This response implies the Council considers that the problem might go away post Covid-19.

The Ubico team in Chipping Campden were surprised to hear from Cllr

Blomefield that we have been told that collection efforts are at maximum capacity, as public bin waste is less than normal owing to there being fewer tourists over the pandemic.

New signs on the bins include information to contact the Council that the bin needs to be emptied and also to encourage people to take their dog waste bags home with them. This rather defeats the purpose of the bins in the first place but more to the point, many people will choose not to take them home, especially if they are travelling in a car, as it is such an unpleasant and potentially hazardous thing to do.

Waste collection is a mandatory, core service. Residents, especially those in towns and bigger villages are suffering from poor service. This situation needs resolving and I ask that Council resolves to approve the appropriate funding to ensure that sufficient bins are made available and regularly emptied before they overflow."

e) **Motion – 20mph is Plenty Where People Are**

Proposed by Councillor Jenny Forde, Seconded by Councillor Andrew Doherty:

This Council:

- believes that 20 mph is plenty where people are;
- agrees with and supports the UK Government's recent endorsement of The Stockholm Declaration, which stipulates in Resolution 11 that a council should "mandate a maximum road travel speed of [20mph] in areas where vulnerable road users and vehicles mix...except where strong evidence exists that higher speeds are safe";
- resolves to formally adopt Resolution 11. In practice, this means that the default speed limit on the Cotswold District's urban and rural residential streets will be 20mph, except on main roads where speed limits, if higher, must be both safe and appropriate;
- calls on Gloucestershire County Council, as the Local Highways Authority, to consult the county's District Councils, Parish Councils and communities to identify all the roads which should adopt a 20mph speed limit no later than 30 April 2025 and to make significant progress towards realising these changes in tandem - establishing 20mph limits in identified places quickly if communities agree;
- calls on Gloucestershire County Council to provide the necessary funding, to achieve the goal of making our residents feel safe and be safe, across the Cotswolds."

9. **Next meeting**
Wednesday 17 November 2021 – 2pm

(END)



Minutes of a meeting of Council held at the Boutflour Hall, Royal Agricultural University, Cirencester, Gloucestershire on Wednesday, 14 July 2021.

Councillors present:

Dilys Neill – Chair
Stephen Andrews
Mark Annett
Tony Berry
Claire Bloomer
Ray Brassington
Patrick Coleman
Rachel Coxcoon
David Cunningham
Tony Dale
Andrew Doherty

Nikki Ind – Vice-Chair
Mike Evemy
Jenny Forde
Joe Harris
Mark Harris
Stephen Hirst
Sue Jepson
Julia Judd
Richard Keeling
Juliet Layton
Andrew Maclean

Nick Maunder
Richard Morgan
Richard Norris
Nigel Robbins
Gary Selwyn
Ray Theodoulou
Steve Trotter
Clive Webster

Officers present:

Rob Weaver – Chief Executive
Jenny Poole – Deputy Chief Executive and Section 151 Officer
Angela Claridge – Interim Monitoring Officer
Amy Bridgewater-Carnall – Senior Strategic Support Officer

13 Apologies

Apologies for absence were received from Councillors Blomfield, Robin Hughes, Roly Hughes and Spivey.

14 Announcements from the Chair, Leader or Chief Executive (if any)

The Leader, Councillor Harris, advised that he had been elected as Vice-Chairman of the Local Government Association.

Councillor Harris provided an update on the current situation regarding the Boundary Commission Review. He advised that Cotswold District Council would be included within a report in August, North Wiltshire would become part of the Cotswold South and North, Chadworth and the Churn Valley.

The Chief Executive expressed his congratulations to Councillor Harris on his recent appointment to Vice Chairman of the Local Government Association (LGA). The Chief Executive also noted the strength of partnership that the LGA has with councillors.

15 Declarations of Interest

Agenda Item 8 – Recommendations from Overview & Scrutiny Committee and Cabinet – Tetbury and Fairford Leisure Provision Task and Finish Group

Councillor Hirst declared an interest because he had been the Governor of a school in Tetbury when the Leisure Centres were taken over.

Councillor Ind declared an interest because she had been Mayor of Tetbury during this time.

16 Minutes

The minutes of the meeting held on 17 March 2021 were taken as read and signed by the Chairman as a correct record.

The minutes of the meeting held on 26 May 2021 were agreed subject to the following amendments:

The attendance list be updated to include Councillors Annett and Harris; and
The wording on page 26 of the minutes be amended to include 'then there was a risk that' in the last line to avoid any confusion over the decision of the last Annual General Meeting.

17 Public Questions

A record of public questions and answers are available in the schedule attached to these minutes. Questions were asked by David Fowles, Colin Pearce and Tetbury Town Council to Councillor Joe Harris, Leader of the Council.

18 Member Questions

A record of Member questions and answers are available in the schedule attached to these minutes. Questions were asked by:

Councillor Tony Berry to Councillor Joe Harris, Leader of the Council.

Councillor Tony Berry to Councillor Andrew Doherty, Cabinet Member for the Environment, Waste and Recycling.

Councillor Richard Morgan to Councillor Lisa Spivey, Cabinet Member for Housing and Homelessness.

Councillor Ray Theodoulou to Councillor Joe Harris, Leader of the Council.

Councillor Julia Judd to Councillor Joe Harris, Leader of the Council.

Councillor Richard Norris to Councillor Andrew Doherty, Cabinet Member for the Environment, Waste and Recycling.

Councillor Stephen Andrews to Councillor Dilys Neill, Chair of the Council.

Councillor David Cunningham to Councillor Andrew Doherty, Cabinet Member for the Environment, Waste and Recycling.

Councillor Stephen Andrews to Councillor Andrew Doherty, Cabinet Member for the Environment, Waste and Recycling.

19 Affordable Housing Schemes - Expenditure of S106 Commuted Sums

Councillor Coxcoon introduced the report on behalf of Councillor Spivey which updated Members on the Section 106 commuted sums for affordable housing and sought Council approval for proposals for expenditure of unallocated funds.

Councillor Coxcoon highlighted the S106 Commuted Sums documents which was attached at Annex A to the report and proposed the recommendations as laid out, subject to the removal of the reference to Cabinet.

This was seconded by Councillor Every who stated that this was a fantastic investment.

Members debated the report and clarification on the finances contained in Annex A was provided by the Deputy Chief Executive and S151 Officer.

RESOLVED that

- a) the current position on Section 106 commuted sums as shown in Annex A, is noted; and
- b) the allocation of a capital grant of £550,000 to redevelop a site of 24 existing homes to provide 28 new social rented homes in Moreton in Marsh as detailed in paragraph 2.3, is approved. The award of the capital grant will be included within the Council's capital programme and funded from the Section 106 commuted sums.

Record of Voting – for 32, against 0, abstentions 0, absent 0.

20 Recommendations from Overview and Scrutiny Committee and Cabinet - Tetbury and Fairford Leisure Provision Task and Finish Group

Councillor Harris outlined the report which contained a number of recommendations from the Overview and Scrutiny Committee following the work undertaken by the Tetbury and Fairford Leisure Provision Task and Finish Group.

The group had been set up to review the approach taken to leisure provision in Tetbury and Fairford and establish any lessons learned. Cabinet had considered the key lessons at their meeting in June 2021 and recommended them to Council to support future commissioning and procurement activity.

Councillor Harris proposed a revised resolution, circulated at the meeting, which included an apology to the people of Tetbury and Fairford and the schools concerned.

This was seconded by Councillor Every. Councillor Andrews also notified about his position as the Chair of the Overview and Scrutiny Committee and consulted with the Vice-Chair of the Sub-Committee Councillor Selwyn. It was also noted by Councillor Andrews about recognising the lessons learnt, and applying the improved processes to similar projects in the future.

RESOLVED that

Council thanks the Officers and Members who worked together in the Tetbury and Fairford Leisure Provision Task and Finish Group for their work investigating and considering the

events that led up to the closure of the Leisure Centres in the towns to public use and for their thorough report and its recommendations;

Council supports the recommendations from the Group listed in paragraph 2.1 of the report and asks Officers to ensure processes are in place to follow them;

Council notes the actions and processes which are already in place in support of the recommendations as listed in paragraph 3.1 and the planned activity in support of the recommendations in paragraph 4.1 of the report, and asks for an update report on progress with these actions to be provided for Cabinet at its meeting in January 2022;

Council believes that the decision taken by Cabinet in 2013 to transfer the ownership and management of the leisure centres in Fairford and Tetbury led directly to the decision to withdraw public access to the centres in 2019, since the sustainability of the new business model for the centres was not properly tested;

Council would like to apologise to the people of Tetbury and Fairford and the other individual users of the centres for this decision; and

Council would also like to apologise to the schools concerned for putting them in this position.

Record of Voting – for 14, against 0, abstentions 11, absent 0.

21 Funding for Improvement Works to Rissington Road Car Park, Bourton on the Water

Councillor Every introduced the report which sought agreement to allocate capital and car parking earmarked reserve funds for improvements to Rissington Road Car Park, Bourton-on-the-Water.

Councillor Every highlighted the financial aspects of the report and proposed the recommendation as laid out. This was seconded by Councillor Maunder.

RESOLVED that the allocation of £245,000 of capital funding and £92,000 of car park earmarked reserve fund to make improvements to Rissington Road Car Park, Bourton-on-the-Water, is agreed.

Record of Voting – for 32, against 0, abstentions 0, absent 0.

22 Licensing Act 2003 - Review of the Statement of Licensing Policy

Councillor Layton introduced the report which detailed the proposed revisions to the Council's Statement of Licensing Policy (Licensing Act 2003), based on legislative requirements and statutory guidance.

Councillor Layton highlighted the draft Statement of Licensing Policy at Annex A, along with the table of responses received following a twelve week public consultation. Councillor Layton proposed the recommendation as laid out and this was seconded by Councillor Mark Harris.

RESOLVED that the reviewed Statement of Licensing Policy attached at Annex A to the report is approved.

Record of Voting – for 32, against 0, abstentions 0, absent 0.

23 Report of the Working Group Investigation Short Term Lets (STL)

Councillor Berry introduced the report which set out the key findings from the Short Term Lets (STL) Working Group.

The cross party working group had been set up on 18 November 2020 to look at the impact of properties let for short periods and in particular the implications for neighbours. The group had met monthly since its initiation and was asked to report back to Council in June 2021. The report outlined the membership and scope of the group and detailed a draft enforcement protocol at Annex A and a Summary of Recommendations at Annex B to the report.

Councillor Berry proposed the recommendations as set out subject to the delegation of recommendation b) to the Chief Executive. This was seconded by Councillor Webster.

Members expressed their gratitude to all Members and Officers involved in the Group and hoped that the work could be shared with other Local Authorities through the Local Government Association.

RESOLVED that

- a) Councillor Berry is authorised to send a letter to the local MP seeking his support regarding the changes to the legal position as outlined in this report;
- b) Having considered the issues summarised at Annex B, the Chief Executive is authorised to agree whether further action should be taken; and
- c) Taking account of any further actions required as a result of recommendation b) that the Chief Executive be asked to oversee the preparation of a report back to Council with an Action Plan detailing how and when such actions will be progressed.

Record of Voting – for 32, against 0, abstentions 0, absent 0.

24 Refresh of the Constitution: Responsibility for Functions, Non-Executive Scheme of Delegation to Officers, Planning Protocol, & Financial Rules

Councillor Joe Harris introduced the report which updated Council on the work and recommendations of the Constitution Working Group who had been modernising the Constitution.

Members noted that the motion relating to the Planning Committee Protocol from Councillor Trotter, would be debated as part of this item and had therefore been withdrawn from Agenda Item 14.

Councillor Joe Harris thanked the cross party working group for their work and to all Members for their patience with this complex piece of work. He handed over to the Interim Monitoring Officer, Mrs Claridge who took Members through each section and explained any further amendments where necessary.

During the course of this item, Members were required to agree whether to continue with the meeting as it had reached the three hour time limit. Councillor Harris proposed that the meeting continue and this was seconded by Councillor Morgan. It was agreed that the meeting continue.

Recommendations 2, 5 and 6 were voted on and carried unanimously. Further debate took place on Recommendations 1, 3 and 4.

With regard to recommendation 1, Councillor Andrews proposed an amendment to Appendix 2, Part C, 3H. Following a robust debate, the amendment was withdrawn.

Councillor Trotter had proposed an amendment to recommendation 3 relating to the Planning Protocol. A recorded vote was taken and the amendment was lost, 11 votes to 17. Recommendation 3 was voted on as originally proposed and was carried 17 votes to 11.

Councillor Berry proposed an amendment to Recommendation 4 relating to the Finance Rules. A recorded vote was taken and lost 11 votes to 17. Recommendation 4 was voted on as originally proposed and was carried 17 votes to 11.

RESOLVED that

- I. the updated Responsibility for Functions at Appendix 2 is adopted;
- II. the revised Non-Executive Officer Scheme of Delegation at Appendix 4 is adopted;
- III. the updated Planning Protocol as outlined at Appendix 6, is adopted;
- IV. the updated Finance Rules as outlined at appendix 7, is adopted;
- V. the Monitoring Officer is authorised to update the Constitution to reflect the inclusion commitments of the Council, changing *'he or she'* to *'he, she or they'* and change *'his or her'* to *'his, her or their'*; and
- VI. the Monitoring Officer is authorised to publish a final clean version of the constitution (removing track changes, correct any numbering, editing or formatting errors).

Record of Voting:

Recommendation 1- for 32, against 0, abstentions 0, absent 0.

Recommendation 2- for 32, against 0, abstentions 0, absent 0.

Recommendation 3- for 17, against 11, abstentions 0, absent 0.

Recommendation 4- for 17, against 11, abstentions 0, absent 0.

Recommendation 5- for 32, against 0, abstentions 0, absent 0.

Recommendation 6- for 32, against 0, abstentions 0, absent 0.

25 Proposal for Loan Finance to Cottsway Housing Association

Members considered a proposal to provide loan financing to Cottsway Housing Association Ltd through its subsidiary company, Cottsway 2. The lower cost of finance would enable the provision of green energy generation via solar PV installation on 15 houses at Davies Road, Moreton-in-Marsh.

The report asked that Council approve the loan arrangement; agree that the loan be financed through Prudential Borrowing in line with the Council's Capital and Treasury Management Strategies; and the negotiation of the detailed terms for the transaction be delegated to the

Deputy Chief Executive, following consultation with the, Head of Legal Services, Monitoring Officer and the Deputy Leader and Cabinet Member for Finance. Finally, it was proposed that the Audit Committee review performance as part of regular Treasury Management updates.

It was noted that the Council had established a Capital Programme Investment Board to provide cross-party Member engagement. The Business Case considered by the Board was attached at Annex A to the report and the views of the Board were included for consideration by Council.

The Deputy Leader, Councillor Every introduced the report and proposed the recommendations as laid out. This was seconded by Councillor Morgan.

A number of Councillors raised concerns about the length of time finances would be 'tied up' and whether the loan was a suitable use of Council money. The Deputy Chief Executive and Chief Finance Officer clarified the Council's position and confirmed that due diligence was being followed.

Having considered the report, a recorded vote was taken and it was

Resolved that

- (a) the loan arrangement is approved;
- (b) the loan will be financed through Prudential Borrowing in line with the Council's Capital and Treasury Management Strategies;
- (c) the negotiation of the detailed terms for the transaction is delegated to the Deputy Chief Executive, following consultation with the, Head of Legal Services, Monitoring Officer and the Deputy Leader and Cabinet Member for Finance; and
- (d) the Audit Committee will review performance as part of regular Treasury Management updates.

Record of Voting – for 32, against 0, abstentions 0, absent 0.

26 Notice of Motions

Members had been given notice of a number of Notice of Motion, detailed on the agenda.

In relation to Agenda Item 14, Motion (e) – Planning Committee Protocol, it was agreed at the meeting that this would be considered during the deliberations relating to Item 12 – Refresh of the Constitution. This motion was therefore removed from this section of the agenda (Minute 24 relates).

Due to the late hour, it was proposed by Councillor Every and duly seconded that consideration of the remaining Notices of Motion be moved to the next Council meeting, due to be held on 22 September 2021.

On being put to the vote, the proposal was carried and it was therefore

RESOLVED that the following Notices of Motion be considered at the Council meeting on 22 September 2021:

- a) Scrap the Planning Act

Council
14/July2021

- b) Community Funding for the 2022 Queen's Platinum Jubilee Celebrations
- c) Cotswold Shopping Festival
- d) Dog Waste Bin Provision

27 **Next Meeting - 22 September 2021 - 6pm**

The Meeting commenced at 6.00 pm and closed at 10.25 pm

Chair

Public Questions - Full Council 14 July 2021

The following questions have been received from Colin Pearce Resident of Tetbury

Question 1

Concerning loss of Tetbury Leisure Centre

Now CDC have admitted their failure to control financial conditions of grant application for Tetbury Leisure Centre throughout the 4.5 years contract.

When will CDC dig deep and provide Tetbury with a new Leisure Centre with swimming pool as they have done with Bourton on the water/ Chipping Camden / Cirencester.

Response from Cllr Joe Harris.

Cotswold District Council will not be providing new leisure centres

Future leisure provision is covered at section five of the report relating to agenda item 8 which will be considered later this evening. It refers to the leisure strategy adopted by Cabinet in March 2021 which contains recommendations for key service and facility interventions and Cabinet will consider action plans for these recommended interventions later in the autumn.

Question 2

Will CDC do a full financial investigation how £330.00 grant money and estimated £100,000 subscription were lost in just 4.5 years which is on average £90k loss per years.

SWR Leisure Ltd accounts show pension assets

2016 £3k raising to £79k in 2018 WHY

Service agreement average £15k per year one would suggest this was paid to the school but yet the school never seem to pay for the use of the facility.

Will there be any accountability for this loss, as CDC district councillor Stephen Hirst was also a director of SWR Leisure Ltd who should of clearly understood and followed the grant agreement.

Response from Cllr Joe Harris.

Thank you for your question.

The task and finish group established by the Overview and Scrutiny Committee found no reason for any further investigation of the grant monies paid. The grant was paid to Sir William Romney Leisure Ltd and was then wholly used by them in meeting the costs for the delivery of a service to the community.

The liquidator's report dated 7 December 2020 and held publicly on Companies House website contains the outcome of the investigation into the company's affairs and states that

“there aren’t any matters that justify further investigation”. This provides an independent, expert’s view of Sir William Romney Leisure Ltd and its financial position.

Staff previously employed by Cotswold District Council remained as members of the Local Government Pension Scheme administered by Gloucestershire County Council, with Sir William Romney Leisure Ltd becoming responsible for the employer contribution. The contributions payable by Sir William Romney Leisure Ltd across the period of the grant agreement were set on a triennial basis and as determined by an independent actuary appointed via Gloucestershire County Council Pension Fund. The Local Government Pension Scheme is a funded, defined benefit scheme based on a full actuarial valuation. The asset reported reflected the present value of the defined benefit pension obligation at the balance sheet date, less the fair value of Sir William Romney Leisure Ltd’s share of the plans assets at the balance sheet date, out of which any obligations are to be settled.

The liquidator’s report dated 7 December 2020 refers to a £15,000 pension surplus, which the liquidator will report upon in their next report.

Specific to your final point, the evidence provided to the Overview and Scrutiny Committee did not indicate anything other than grant payment being made for a service provided

Member Questions - Full Council 14 July 2021

Question from Cllr Tony Berry to Cllr Joe Harris.

At the Council Meeting on the 20th of January 2021, I put forward a motion (seconded by Cllr J Judd) regarding additional funds to combat fly-tipping which was referred to Cabinet. Six months on I have not received any notification of the results of this referral, please could you advise me of the outcome.

Response from Cllr Joe Harris

Since January, the Clean and Green Cotswold Programme has been established and an Officer team is being put in place.

Fly-tipping is within the scope of the Clean and Green Programme and I will ensure that Officers consider the motion and bring a report to the Cabinet meeting in September and apologise for the delay in bringing this to cabinet.

Question from Cllr Tony Berry to Cllr. Andrew Doherty.

I have recently had several complaints about missed green bin collections, and I understand that my colleagues have also received numerous complaints.

Please could you explain what problem(s) led to this and what we are doing to ensure that it is a hiccup and unlikely to re-occur.

Response from Cllr Andrew Doherty

There is currently a national shortage of LGV drivers and so recognising the issues that might cause for the contract, the Council took steps this year with Ubico to increase their establishment, so that they had a small pool of resource to use, to cover sickness and holidays. This would mean that they wouldn't have to rely on staff from an agency however, there is still a gap in those resources and they are advertising vacancies at the moment to try and fill them.

This shortage of drivers combined with the significant increase in garden waste material as a result of the wet and warm weather has meant that there are 2 collection days out of the 10 day cycle, where the crews are struggling to make all of the collections within the time available. Any customers who are missed on their scheduled collection day are being prioritised and collected first thing in the morning on the following day. As the garden waste volumes reduce (as they always do during the summer between the two growth cycles), and the additional drivers are recruited to fill the establishment, then this issue should be mitigated.

Question from Cllr Richard Morgan to Cllr Lisa Spivey

At the last full council meeting on 17 March 2021, you listed extra items which will be added to the 14 new houses in Sunground, Avening.

As you can see from the recording of this meeting (3hours 4 minutes into the recording) you listed the following items.

- Air source for heating and hot water.
- Provision for future electric vehicle charging points.
- Bat, swift and hedgehog boxes.
- Water Butts.
- Secure cycle storage.
- Provision of broadband infrastructure.
- Option for solar panels

At the meeting I welcomed these items, but also proposed the council went further and added an additional £40,000 to ensure further bolt-on items could be delivered and to ensure the rainwater harvesting and solar panels would be delivered as opposed to being an option.

In response you replied “We can do that with the money we have already put forward” (3 hours 20 minutes into the recording of the meeting.)

There were further assurances from the officer (3 hours 23 minutes) that within the £400,000 we can afford air source heat pumps, electric car charging points, solar panels and rainwater harvesting for all the properties.

As a result of this clarification, I withdrew my amendment.

In the interest of absolute clarity, can you please answer this question in writing to confirm that the 14 new houses in Avening will be equipped with

- Air source for heating and hot water (installed and working)
- Electric vehicle charging points (installed and working)
- Bat, swift and hedgehog boxes.
- Rainwater harvesting (installed and working)
- Secure cycle storage.
- Provision of broadband.
- Solar panels (installed and working)

Response from Cllr Lisa Spivey

Both Bromford Housing Association and the Council are committed to delivering affordable housing which is low carbon, enhances local ecology and provides a great place for local people to live. Bromford Housing Association have provided assurance that these measures will be installed. The provision of these items is a condition of the Councils grant funding which will support this housing scheme. The Council will be monitoring this both during the

construction of the units and upon completion. Please note rainwater harvesting refers to water butts which will be installed at each property.

Question from Cllr Ray Theodoulou to Cllr Joe Harris.

In a letter dated 11 May replying to a complaint from a local Quenington resident, Ms Claire Hughes, Business Manager Corporate Responsibility concluded inter alia that the Chair of Planning, Cllr J. Layton should receive training on the Planning Process.

Since that proposal was made Cllr Layton has been promoted and is now the Cabinet Member responsible for inter alia, planning. Can the Leader confirm that Cllr Layton undertook the recommended planning training prior to her appointment to the Cabinet?

Response from Cllr Joe Harris

Cllr Layton is a highly experienced member of this Council particularly pertaining to issues relating to planning. She sat on the planning committee for 10 years and chaired the committee for two of them.

As I understand it, Cllr Layton undertook LGA training in 2019 to assist her in her new role as chair of the planning committee and has had three Planning Advisory Service training sessions in the past year.

Both Cllr Layton and I only became aware of Claire Hughes' letter last week.

I'll leave it to Cllr Layton to decide as to whether she requires further training but I'm happy that her experience and depth of knowledge when it comes to planning equips her perfectly for the cabinet member role she now holds.

Question from Councillor Julia Judd to Cllr Joe Harris

At the Council Meeting of 24 February this year, Cllr Julia Judd presented a motion to create a Cotswold District Council Award Scheme, seconded by Cllr Andrew MacLean. At the time the leader denied the motion a full Council vote saying that it will be put to Cabinet for consideration.

Four cabinet meetings have come and gone since 24 February 2021. This motion is entirely supportive of the Council's Climate Emergency declaration, yet the cabinet has been dilatory in considering this motion. Could the leader explain why the motion has not yet been presented to the Cabinet for discussion and commit to including it on the next cabinet agenda?

Response from Cllr Joe Harris

At Council on 26th May 2021, Councillor Dilys Neill was elected as Chair of the Council.

She advised the Council that the former Council Chair's Awards would be re-starting and would combine with a Covid-19 awards scheme to recognise the contribution made by the District's residents during the pandemic. A cross party working group will be established shortly to take this matter forward and a report will be presented and considered by the Cabinet in September, setting out more about how the award process could operate and potential nomination categories.

Question from Cllr Richard Norris to Cllr Andrew Doherty.

Can you please clarify/confirm the acceptable criteria for the blue bag cardboard collection

Response from Cllr Andrew Doherty

The Council explains what types of cardboard are accepted on its website, together with the other materials which are collected for recycling - <https://www.cotswold.gov.uk/bins-and-recycling/what-to-put-in-your-bin/recycling-black-box-white-and-blue-bag/>

The cardboard bag must be presented with the lid closed in order for it to be collected. This is to ensure that the contents don't get blown out of it while it's waiting to be collected, but also so that the capacity on the collection vehicles can be effectively managed and so that all properties on the collection round are able to receive a collection. We are not able to take additional cardboard which is placed by the side of the blue bag, because of the risk of the collection crew not being unable to complete the round.

Question from Cllr Stephen Andrews to Cllr Dilys Neill, Chair of the Council

Section 6 of the current procedure rules of the Council require that:

The Interim Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear days before a meeting, the Interim Chief Executive will send a summons signed by him or her to every Member of the Council or leave it at their usual place of residence. The summons will give the date, time and place of the meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

In the case of this meeting, some 200 pages were distributed to members with the agenda. A further some 200 pages were distributed only two full working days before the meeting. At the time of writing, a possibly important Annex to Item 7 has still not been distributed.

This situation is intolerable, as it allows little or no time for Members of this Council to properly scrutinise, investigate and draw a reasoned opinion on the matters raised in the meeting.

This set of circumstances is also contrary to the Constitution of this Council, in particular Section D3 - Access to Information Procedure Rules, which clearly state that all reports must be available at least 5 days before the meeting (para. 5.1) with the only exception being if an item is added to the agenda (para.5.2).

Would she agree with me that Councillors have not received papers in time for this meeting to allow them sufficient opportunity to fully understand the complexity of the issues laid before them and agree with me that this is a wholly unreasonable and unworkable state of affairs. Under these circumstances, will she rule that late papers should be ruled as inadmissible such that they can not therefore be discussed or decided upon and the related agenda item should be deterred.

Response from Cllr Dilys Neil

Thank you for your question Cllr Andrews.

Firstly I am sympathetic to your concern about the amount of paperwork to be read in a short time, but this is by no means unique to this meeting.

Cotswold is an ambitious Council and there is a lot of business to transact.

The Council Procedure Rules, which are part D1 of the Constitution, does permit reports to be circulated after the summons for this meeting. This might be an area, the Constitution Working Group, which I understand you are a member of, reviews at one of its future meetings.

I'd like to clarify that the additional 200 pages were distributed by email very late on the evening of Thursday 8 July. Appreciating that most members wouldn't have seen their

emails until the following morning, but that did provide the opportunity on Friday, Monday, Tuesday and today to read through the documents . However, the distribution of the missing annex to agenda item 7 wasn't distributed until yesterday afternoon for which I'd like to apologise.

The Constitution Working Group were consulted on earlier drafts of these documents at their meeting on 2 July. I understand from officers, that this group, including yourself, have made several useful suggestions which have been incorporated into the documents we are considering later on today's agenda.

For that reason, I will not rule that these papers are inadmissible

Question from Cllr David Cunningham to Cllr Andrew Doherty

"This Council notes that following the floods of December 2020, the village of Bledington was, in terms of properties impacted, the worst affected settlement in the entire Cotswold District. The Cabinet member for Environment is fully aware of the situation and has been working closely with the Parish Council, via its Flood Working Group, to instigate measures aimed at constructing a comprehensive flood protection scheme. I would like to note that the Cabinet Member has been instrumental in bringing together various elements for this program and the residents of Bledington have praised his commitment and level of engagement.

In recent days it has been brought to the attention of the Flood Working Group that funding is a potential issue in delivering these much-needed flood alleviation works and that this may lead to the main component of the defences not being constructed before the winter. This potentially leaves the residents of Bledington exposed to the misery of more flooding, more damage to their homes and more upset.

Given that this Council has made a commitment to helping those affected by the Climate Emergency and specifically the dangers of flooding, via schemes such as Flood Wardens etc, will the Cabinet Member for Environment put aside emergency funds to deliver the project before the winter to avoid further catastrophe for residents in flood prone areas?"

Response from Cllr Andrew Doherty

To be provided verbally at the meeting

Question from Cllr Stephen Andrews to Cllr Andrew Doherty

On the 5th July 2021 the Government completed its consultation on the Consistency in Household and Business Recycling in England. In seeking to gather views on how the Environment Bill powers should be used and how these policies should be implemented, including the use of statutory and non-statutory guidance, in order to ensure efficient comprehensive and frequent waste collections across the whole of England. The consultation recognises that an important part of increased efficiency will be the rationalisation of different waste streams across the different Waste Collection Authorities.

Not only is waste collection one of the top two services that we provide, it is expensive. It is currently setup for kerbside recycling in a particular way. It might reasonably be expected that any change that has to be made will come at some change to service delivery and at some cost.

Given the importance of this service to this Council and to its residents, has this Council submitted a response to this consultation? If so, what was the major concern that was identified across the areas being consulted on?

Will the Council response to that consultation be made available to all Members?

Response from Cllr Andrew Doherty

To be provided verbally at the meeting

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Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	COUNCIL – 22 SEPTEMBER 2021
Report Number	AGENDA ITEM 07
Subject	FUNDING FOR ESSENTIAL MAINTENANCE OF COUNCIL SERVICE PROPERTY ASSET – CIRENCESTER LEISURE CENTRE
Wards affected	Abbey, Chesterton, New Mills, St Michaels, Stratton, The Beeches, Watermoor, Four Acres
Accountable member	Cllr Mike Every – Deputy Leader and Cabinet Member for Finance Email: mike.every@cotswold.gov.uk
Accountable officer	Andrew Dike - Property & Facilities Manager Email: andrew.dike@publicagroup.uk
Summary/Purpose	To request funding for essential repairs at the Council property; Cirencester Leisure Centre.
Annexes	None
Recommendation(s)	<p><i>That Council, as recommended by Cabinet:</i></p> <p><i>a) approves the funding request of £110,000 for maintenance within the Cirencester Leisure Centre Pool Hall.</i></p> <p><i>b) that delegated authority is granted to the Deputy Chief Executive to update the Capital Programme, the Capital Strategy and the Treasury Management Strategy to include the requested funding.</i></p> <p><i>c) that, if the funding is approved, delegated authority is granted to the Deputy Chief Executive in consultation with the Deputy Leader and Cabinet Member for Finance and the Group Manager for Commissioning to agree the final funding on receipt of the tenders and to award the contracts for the necessary works set out in the report.</i></p>
Corporate priorities	Delivering our services to the highest standards. Helping residents and communities access the support they need for good health and wellbeing.



Key Decision	YES
Exempt	NO
Consultees/ Consultation	Senior Officers and Cabinet Members SLM



1. BACKGROUND

- 1.1** The following project requires funding allocation for essential maintenance in order for the property to continue to support key services.
- 1.2** This matter was considered at the Cabinet meeting held on 5 July 2021 as part of agenda item 5 'Funding for Essential Maintenance of Council Service Property Assets'.
- 1.3** At this meeting, Members noted that as the funding required for the Leisure Centre was over £100,000, that decision would require approval from Full Council.
- 1.4** Funding of up to £110,000 is requested for the re-coating of pool hall structural steelwork and refurbishment and encasement of low-level poolside steelwork.

2. MAIN POINTS

- 2.1** The Council owns the Leisure centre, which is operated under contract by the leisure provider SLM. The Council remain responsible for maintaining the structural elements of the building.
- 2.2** Problems were initially identified in the Leisure Centre pool hall as paint was flaking from painted steel structural support columns and roof struts and falling into the pool and onto poolside. Concerns were raised regarding health & safety. Initial inspections to consider redecoration of steelwork identified areas where paint was debonding from steels and flaking away, but also areas where there was no debonding or flaking paintwork. Inspections also identified extensive corrosion at the base of multiple steel columns. Recommended actions resulting from this were to:
 - a) Undertake materials testing to ascertain whether paints had been applied correctly, correct paints were used etc;
 - b) Undertake materials testing to confirm any section loss (loss of material, leading to thinner sections and potential weakness) to steel columns;
 - c) Carry out subsequent structural check to confirm the effect of any section loss/ need for repair.
- 2.3** Specialists have been engaged to agree a scope of work which would give more sustainable longer term and low maintenance solutions and address the existing corrosion.



2.4 A scheme of works has now been identified which includes:

- a) Casting concrete casings around steel columns to provide better protection than leaving the steel column exposed with painted finish, in a damp humid environment;
- b) Redecoration of steelwork generally to pool hall walls and roof level.
- c) Replacement of joints adjacent to steel columns.
- d) Planned maintenance/ replacement work to pool covers/ rollers.

2.5 Due to the need to shut down the pool hall to facilitate the works, the Council will work closely with SLM to limit the impact on customers.

3. FINANCIAL IMPLICATIONS

3.1 Estimated costs for the proposed work is £90,000 - £110,000.

3.2 All works to be funded from capital receipts.

4. LEGAL IMPLICATIONS

4.1 The rectification works are required in order to provide compliant fire retardant intumescent coating to steelwork and to protect the long term structural stability of the supporting steelwork. The swimming pool provides a prominent function of the leisure service provision and there is a risk of reputational damage from visibly degrading structures. There is a further risk of debris within the pool water affecting the water filtration system. The council has a legal responsibility to provide a safe facility for public and staff use at all times.

5. RISK ASSESSMENT

5.1 Risks are covered within the Legal Implications at 4.

6. EQUALITIES IMPACT

6.1 An equalities impact assessment has not been carried out.



7. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 7.1 There are no climate change or ecological emergency implications arising immediately from this report.

8. ALTERNATIVE OPTIONS

- 8.1 The Council could decide not to undertake the works highlighted in this report but this is not recommended due to the health and safety and reputational risks identified.

9. BACKGROUND PAPERS

- 9.1 The following documents have been identified by the author of the report in accordance with section 100D.5(a) of the Local Government Act 1972 and are listed in accordance with section 100 D.1(a) for inspection by members of the public:

Link to the report considered by Cabinet at its meeting on 5 July 2021:

<https://meetings.cotswold.gov.uk/documents/s2423/Item%2006%20-%20Maintenance%20works%20funding.pdf>

Link to the minutes taken at the 5 July 2021 Cabinet outlining the decision taken in respect of this item:

<https://meetings.cotswold.gov.uk/documents/s2725/Draft%20Minutes%20-%20Cabinet%20-%2005.07.21.pdf>

These documents will be available for inspection at the Council Offices at Trinity Road, Cirencester, GL7 1PX during normal office hours for a period of up to 4 years from the date of the meeting. Please contact democratic services via democratic@cotswold.gov.uk

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