

COUNTY COUNCIL – 17 February 2016
PUBLIC QUESTIONS

<p>1. Questioner's name: Nigel Wise</p>	<p>Respondent's name: Cllr Vernon Smith</p>
<p>The County Council allow consideration of motorists' informal representations against the Council's penalty charge notices to be undertaken and decided by a private commercial company APCOA without any involvement of the Council. Please advise the specific item of legislation not guidance (if there is any) which provides the necessary power and authority that enables a commercial company to undertake such a quasi-judicial activity on behalf of the Council. Please advise the specific item of legislation not guidance (if there is any) which provides the necessary power and authority for the Council to delegate this local authority function to a private commercial company</p>	<p>The Council has carefully reviewed its legal position following concerns raised by Mr Wise. Officers are confident that we fully comply with all relevant statute and the council is acting legally.</p>
<p>2. Questioner's name: Nigel Wise</p>	<p>Respondent's name: Cllr Vernon Smith</p>
<p>The County Council permits consideration of motorists' formal representations against the Council's Notices to Owner (which follow the serving of penalty charge notices) to be undertaken and decided by a private commercial company APCOA prior to APCOA's decision being referred to the Council for approval, amendment or rejection by the Council and subsequently presented to motorists falsely purporting to be a fresh and impartial consideration and decision of the Council. Please advise the specific item of legislation not guidance (if there is any) which provides the necessary power and authority for a commercial company to undertake such a quasi-judicial consideration on behalf of the Council. Please also advise how the eventual decision which is purported to be the fresh and impartial decision of the Council can actually be a fresh and impartial decision on the motorists' representations when it manifestly is not.</p>	<p>The decision on any formal appeal is taken by the County Council, not Apcoa. We have made this clear on a number of occasions. Council officers are confident that we are acting entirely within the law.</p>

3. Questioner's name: Nigel Wise	Respondent's name: Cllr Vernon Smith
<p>It was confirmed unequivocally by the Traffic Penalty Tribunal in July 2015 that the delegation by the Council to APCOA of such considerations of motorists' representations against penalty charge notices and Notices to Owner is in clear breach of the public and common law duties incumbent on the Council, and that the Council's contract with APCOA is fatally deficient in this respect. Why has the Council failed to amend its contract with APCOA to remedy this material deficiency promptly after July 2014? Why has the Council failed to amend its improper operating procedures which are contrary to law promptly after July 2014?</p>	<p>We listen closely to the position of the Traffic Penalty Tribunal, but they are neither an administrative law courts, nor do their decisions set binding precedent. On a number of occasions the County Council's arrangements have been successfully upheld by the tribunal.</p>
4. Questioner's name: Nigel Wise	Respondent's name: Cllr Vernon Smith
<p>What specific formal training have all of the relevant County Council's officers undergone and passed to enable them to process motorists representations to the Council's penalty charge notices and Notices to Owner? Have all such officers obtained the requisite City & Guilds Level 3 NVQ qualification?</p>	<p>All County Council staff concerned have been through an interview process and satisfied the County Council as to their skills, experience and ability to carry out their respective jobs.</p>
5. Questioner's name: Nigel Wise	Respondent's name: Cllr Vernon Smith
<p>Why do the County Council's formal Job Profiles specified for those officers employed to process such motorists' representations fail to include any specified qualification whatsoever necessary to fulfil their assigned duties?</p>	<p>The Council is confident that it employs suitably trained staff to fulfil these roles.</p>
6. Questioner's name: Nigel Wise	Respondent's name: Cllr Vernon Smith
<p>Neither the penalty charge notices nor the Notices to Owner issued by (or on behalf of) the County Council comply with the clear mandatory requirements all of which are prescribed to be stated on them by the relevant legislation, either for fatal omissions or for erroneous content which conflicts with the mandatory content prescribed by the legislation. As has been made known to the</p>	<p>I was keen that the council looked seriously at the points that you have made in this question, and in direct representations to councillors. I'm afraid that council officers, after checking carefully and seeking legal advice, do not agree with your argument that our notices are invalid. As a result, no further action is necessary at</p>

<p>Council, these fatal defects render these notices not to be the valid enforcement they purport to be and are, accordingly, not lawfully unenforceable notices. Which officer(s) of the Council are responsible for approving the content of these fatally-defective notices? Why has the Council not taken prompt action to correct these notices into lawful good order? What actions are in hand to refund all motorists' penalty charge payments that have been made in the mistaken belief that these notices were lawful penalty charge notices and Notices to Owner which complied with the legislation.</p>	<p>this time.</p>
<p>7. Questioner's name: Alison Hume</p>	<p>Respondent's name: Cllr Vernon Smith</p>
<p>A40 Corridor Bus Priority will widen the Gloucester Road westbound carriageway westwards from the Tennyson Road junction. Pedestrians from the Kingsley Gardens side of Gloucester Road will now have to cross four lanes of 40mph two-way traffic to gain access to the westbound 'Tennyson Road' bus stop. Noting that Gloucestershire County Council removed the pedestrian refuge in Gloucester Road near Kingsley Gardens when the previous (eastbound) bus lane was introduced during 2008, what and where will be the safe, convenient, accessible walk route to and from the westbound 'Tennyson Road' bus stop?</p>	<p>As part of the scheme's detailed design, works to install a right turn lane into Tennyson Road are being investigated. As part of the design at this junction, we are looking at the opportunity of installing pedestrian refuges at the start and end of the right turn lane to assist those crossing within the locality and protect those vehicles waiting to turn. Further details of what can be achieved at this location will be submitted as part of the detailed design within the Full Business Case.</p>
<p>8. Questioner's name: Jacky Fletcher</p>	<p>Respondent's name: Cllr Vernon Smith</p>
<p>Proposed A40 Bus Lane</p> <p>When will the results of the Public consultation on the above be made available to the many interested parties and the public in general?</p>	<p>The public consultation report will be submitted to the LEP as part of the scheme's Full Business Case. I would expect the LEP will publish this, although it is a matter for them.</p>

9. Questioner's name: Ken Jones	Respondent's name: Cllr Vernon Smith
Will the proposed A40 Corridor Bus Priority Scheme require the granting of planning permission, if so how is that progressing and what is the likely date that the A40 Bus Priority Scheme will be at the Cheltenham Borough Council's Planning Committee?	All of the proposed construction works lie within the highway boundary and do not require planning permission.
10. Questioner's name: Geoff Lane	Respondent's name: Cllr Vernon Smith
How will the proposed A40 Corridor Bus Priority be safely and practically constructed without entering and / or damaging the green spaces beyond the current Highway Boundary.	The Works Contract will specify areas of vegetation and trees that are to be protected during the works. The contractor will be instructed to erect temporary fencing around those areas. Prior to any activities taking place near to those areas the Contractor will be expected to produce method statements detailing their proposed activities and the precautions they intend to take to avoid damaging the green areas. During any activities potentially affecting the green areas an Environmental Specialist will be in attendance to monitor and supervise site staff.
11. Questioner's name: Martin Morley	Respondent's name: Cllr Vernon Smith
In December, County Councillor Will Windsor-Clive response to questions to Full Council included this statement "The County Council is promoting the A40 corridor bus priority scheme jointly with Stagecoach. If it is approved, both scheme promoters will be responsible for any cost overruns." The Finance Director of Stagecoach Group has since stated "If upon commencement of the scheme, costs increase above budget then Gloucestershire County Council would be responsible for any cost overruns." Who is right, Stagecoach Group or Gloucestershire County Council on the matter of cost overruns?	GCC will be responsible for any cost overruns. As part of the detailed design works, a risk/contingency allocation of funds is contained within the scheme budget.

12. Questioner's name: Owen Adams, *Frack Off Our Forest* (grassroots community campaign)

Respondent's name: Cllr Vernon Smith

As Council is aware, there is considerable and growing anxiety amongst Council Tax payers about the granting of PEDLs (Petroleum Exploration and Development Licences) in Gloucestershire. Evidence from areas in the US, Canada and Australia, where exploratory and development activities are already underway, confirm that water contamination (Pilliga Forest, NSW), ground movements (Alberta, Canada) and methane leakage, (Porter Ranch, California), have all been observed and linked to unconventional gas exploration or extraction.

In light of such concerns, other mineral planning authorities and Councils have been forthright in asserting their local democratic responsibility to ensure that their communities and environments are properly protected against erosion of long established and trusted planning processes.

Will the elected members of this Council assure residents of Gloucestershire that they:

- a) will fulfil their democratic responsibility by ensuring that they remain in control of key decisions that impact the local environment, communities and economy?
- b) demand that the Oil and Gas Authority revoke or suspend existing PEDLs and the Government initiates a comprehensive independent risk assessment?
- c) confirm that this risk assessment will take into account local conditions, knowledge and evidence of impacts from existing unconventional gas exploration sites globally?
- d) confirm that, to ensure impartiality, this risk assessment will be conducted by experts who are free of influence from Government or the oil and gas industry?

I agree entirely with the questioner on his first point. My key concern has been making sure that, if a planning decision is taken on this sort of development in Gloucestershire, it is taken by locally elected councillors if at all possible. That is why I've listened carefully to the concerns of the chairman of planning and others about expressing a general opinion before a specific planning application is received. This is particularly so given that other councils in Gloucestershire have already been able to express strong views on behalf of local residents.

The specifics for any advice to be taken by the planning committee would be a matter to be determined once an application is received, and would be something that councillors on the committee would scrutinise carefully. It would certainly be independent.

13. Questioner's name: Peter Clark	Respondent's name: Cllr Mark Hawthorne
<p>To: Cllr Mark Hawthorne</p> <p>The County Council and the Trade Unions representing its employees have worked closely together for many years to resolve staffing issues – this is a valuable relationship which has helped ensure that the voice of the staff is heard and taken into account. This ensure that the Council delivers its services effectively and with the minimum of disruption while respecting the rights and dignity of its employees.</p> <p>Given that the Order of St John Care Trust, a major service provider commissioned by GCC, are seeking to derecognise UNISON and remove the union's voice from the workplace, will the County Council ensure that, allowing for legal procurement restrictions, it is a requirement that the organisations it commissions to deliver services recognise the important contribution that unions make to fair treatment of workers and effective running of the services they provide and ensure that unions are recognised within those commissioned organisations?</p>	<p>We have an excellent working relationship with trade union colleagues in Gloucestershire – it's something that both sides can take pride in. As a result, I've always advocated the benefits of good working relationships to others, because I've seen the benefits myself here.</p> <p>That said, the council is not legally allowed to set procurement requirements specifying what industrial relations a bidder ought to have.</p>

COUNTY COUNCIL – 17 February 2016
Members' Questions

<p>1. Questioner's name: Cllr Sarah Lunnon</p>	<p>Respondent's name: Cllr Ray Theodoulou</p>
<p>To Cllr Ray Theodoulou</p> <p>Following up from Cllr Theodoulou's response to Lesley Williams, Dec 2nd see below</p> <p><i>38. Questioner's name: Cllr Lesley Williams It is understood that air quality around Javelin Park will be monitored once the Incinerator has been built, however are we monitoring the quality of air before it has been built?</i></p> <p><i>Respondent's name: Cllr Ray Theodoulou</i> <i>The responsibility for monitoring air quality rests with Stroud District Council. I understand that the concentrations in the District do not exceed the nationally set levels. Various industrial processes are inspected and controlled by Permits issued by either the local authority or the Environment Agency.</i> <i>In addition we have recently carried out a baseline study for Javelin Park which shows the levels to be below statutory levels.)</i></p> <p>Will he now provide the information in the baseline study to which he refers to having had carried out?</p>	<p>This was provided to Councillor Lunnon on the 3rd of February.</p>
<p>2. Questioner's name: Cllr Lesley Williams</p>	<p>Respondent's name: Cllr Paul McLain</p>
<p>Does the Cabinet member responsible recognise the report by the Department for Education '<i>Organisation, service and reach of children's centres</i>' (June 2015)' as influential in his change of policy towards Children's Centres?</p>	<p>Certainly government policy is one of a number of important factors that we have looked at in proposing the new approach.</p>

3. Questioner's name: Cllr Lesley Williams	Respondent's name: Cllr Paul McLain
<p>Please detail how many responses are needed for the Children's Centre consultation for the result to be statistically relevant.</p>	<p>Pre- engagement sessions with parents, carers and professionals who work with families during the autumn of 2015 identified a comprehensive list of who needed to be consulted about the proposed changes including 'hard to reach' families. A range of methodologies have been adopted to ensure that as many families who wish to contribute are able to do so and include, an online survey , 21 drop in events , 24 parent focus groups and activities to collect views from pre school and school aged children. The survey has been promoted through a poster and postcard campaign and includes schools, EY providers, GPs, and libraries. Easy read versions of the consultation booklet and commissioning plan have also been made available at the face to face events and online.</p>
4. Questioner's name: Cllr Lesley Williams	Respondent's name: Cllr Paul McLain
<p>Would the Cabinet member responsible please list all Children's Centres that he has personally visited</p>	<p>Bartongate Bishops Cleeve Brockworth Charlton Kings Cirencester Finlay and Tredworth Five Ways Hesters Way Oakwood Parliament Rivertop The Compass The Lighthouse The Link The Oaks The River Twigs</p>

	Winchcombe Up Hatherley + Nailsworth to come on 2 nd March 2016
5. Questioner's name: Cllr Lesley Williams	Respondent's name: Cllr Paul McLain
Does the Cabinet member responsible feel that universality of service is crucial in creating effective children's services?	The most effective children's services will be a bespoke combination of open access (such as early education and childcare providers, schools, Health Visitors, Community Midwifery) and targeted services, directing resources at the most vulnerable in the community.
6. Questioner's name: Cllr Lesley Williams	Respondent's name: Cllr Mark Hawthorne
Please detail your campaign to improve local government settlements with Central Government.	I have raised the issue repeatedly via MPs, the LGA and the CCA and will continue to do so. I am sure Cllr Williams will join me in welcoming the extra £2.5m that has been delivered.
7. Questioner's name: Cllr Barry Kirby	Respondent's name: Cllr Mark Hawthorne
Would the Leader please detail his efforts to keeping Fracking out of the Forest of Dean and Stroud?	As the County Council is the planning authority, I share the concerns of the Chair of Planning that appearing to be too partial before a planning application is received could jeopardise our position. Our most important role is making sure that, if there is a planning application, and there is good reason to doubt one will be forthcoming, that the views of local people are properly taken into account.
8. Questioner's name: Cllr Barry Kirby	Respondent's name: Cllr Andrew Gravells
Please detail your plan to improve library services across the County for the next financial year?	I am looking forward to working with the team in the coming year to continue with the improvements we have made this year where we introduced free public Wi-Fi, replaced People's Network PC's and trained Library staff across the County to provide digital

	<p>support to customers. We will continue to build on the success of our e-lending stock, loans of which have risen by 73% over the same period last year. We will expand our digital and learning offers by offering additional code clubs and introducing a new collection of titles called “Shelf Help: Reading well for young people”, a selection of titles supporting young people aged 13-18years with advice and information to help them understand their mental health and wellbeing.</p>
9. Questioner’s name: Cllr Steve McHale	Respondent’s name: Cllr Will Windsor-Clive
<p>Would Cllr Will Windsor – Clive please detail his response to the planned police precept rise.</p>	<p>That’s a matter for the Commissioner and the Police and Crime Panel.</p>
10. Questioner’s name: Cllr Steve McHale	Respondent’s name: Cllr Will Windsor-Clive
<p>Now that Police and Fire have been merged in the Home Office will the Cabinet member responsible reevaluate his ideas over a combined authority under the PCC?</p>	<p>As I’ve explained on a number of occasions, whilst I can see the idea making sense in some areas, it doesn’t make sense in place like Gloucestershire. My view on this has not changed.</p>
11. Questioner’s name: Cllr Paul McMahon	Respondent’s name: Cllr Dorcas Binns
<p>Would Cabinet member responsible please list all adult service centres that she has personally visited?</p>	<p>Adult service centres is not a familiar term to me. Most of the services are provided by other organisations.</p> <p>I have personally visited a number of services we commission (Order of St John Care Trust, Nelson Trust, Barnwood Trust, ISIS Women’s Centre, Bishops Cleeve Outdoor Gym, Beresford Domestic Violence Refuge), as well as community facilities our service users access (Longfield Minchinhampton, Foxesbridge Day Centre, Marina Court, Age Concern FoD).</p> <p>I have visited North Cotswold, Tewkesbury, The Dilke and Lydney</p>

	<p>Community Hospitals and I am currently in the process of re-arranging the visits to Stroud, Vale and Cirencester, which had to be cancelled because of illness.</p> <p>I am also very involved at a strategic level with our partners, such as the Clinical Commissioning Group and Gloucestershire Strategic Forum.</p>
12. Questioner's name: Cllr Paul McMahon	Respondent's name: Cllr Dorcas Binns
Please detail the modelling system used to predict and anticipate the level of need for adult services.	<p>We use two national tools developed by the Institute of Public Care and Oxford Brookes University - POPPI (Projecting Older People Population Information) and PANSI (Projecting Adult Need and Service Information). More recently, we have enhanced these with a model we have developed "in house". This uses the population projections for Gloucestershire provided by the Office of National Statistics to predict the extent to which underlying need for services is likely to increase. We then build into this model the intended impact of all of our existing projects and programmes on each part of the adult social care system, in order to quantify the cumulative impact and so predict how demand is expected to change for different services and interventions.</p>
13. Questioner's name: Cllr Paul McMahon	Respondent's name: Cllr Mark Hawthorne
Will the leader please detail the threats and weaknesses of fracking to Gloucestershire's economy, environment and cultural heritage?	<p>As we have no detailed proposals in front of us, to answer this specifically would be speculative. Indeed, the advantages or disadvantages of any development proposal can only be assessed when detailed proposals are known and the individual merits of a proposal can be considered at planning application stage.</p>

14. Questioner's name: Cllr Steve Lydon	Respondent's name: Cllr Ray Theodoulou
Would the Cabinet member responsible please detail what constitutes an 'illegal budget'?	This is likely to arise if the Council set a budget which is: <ul style="list-style-type: none"> • Contrary to law (for example, the Council decides to spend money on something which is outside its powers or contravenes any legislation). • Fails to follow the proper process (for example, by failing to follow the processes set out in the Council's Constitution in formulating and adoption of the budget).
15. Questioner's name: Cllr Steve Lydon	Respondent's name: Cllr Ray Theodoulou
Would the Cabinet member responsible agree that cuts to local government services are forcing Councils to force our services into a 'managed decline'?	No. As can clearly be seen from our budget proposal the overall budgets for Adults, Children and Families, Waste and Public Health all rise in cash terms.
16. Questioner's name: Cllr Steve Lydon	Respondent's name: Cllr Mark Hawthorne
Could the Leader of the Council please detail his thoughts on the Fracking workshop that was held for all Councillors last month?	I read the report from the workshop with interest and understand from Members who attended in person that it provided sound and impartial advice on the processes which regulators would undertake should any planning applications be received for consideration by the Council.
17. Questioner's name: Cllr Steve Lydon	Respondent's name: Cllr Ray Theodoulou
Could the Cabinet member responsible please detail at what level Council Tax would have to rise to in order to meet the spending cuts required by his government?	The budget proposal tabled by Cabinet, which proposes a 1.99% council tax increase and a 2% adult care levy increase, meets required savings targets whilst protecting key services for Gloucestershire residents.

<p>18. Questioner's name: Cllr Bernie Fisher</p>	<p>Respondent's name: Cllr Vernon Smith</p>
<p>To: Cllr Vernon Smith</p> <p>I see that Alex Chalk MP for Cheltenham has welcomed the Cheltenham Borough Council's removal of car parking charges for off street car parks after 6pm - When can we look forward to the Conservative controlled county council doing the same for on-street parking?</p>	<p>I'm pleased Cheltenham Borough Council have finally decided to match Gloucestershire County Council's operating hours. The only area of Cheltenham which has parking charges without residents parking, or where we have no plans for residents parking, is the Promenade, and this is already free after 6pm. Extending this to areas with residents parking would require a full Traffic Regulation Order process, and could well undermine the operation of residents parking in those areas – which I don't believe would be well-supported by local residents.</p>
<p>19. Questioner's name: Cllr Jeremy Hilton</p>	<p>Respondent's name: Cllr Mark Hawthorne</p>
<p>To: Cllr Mark Hawthorne</p> <p>Do you expect to be offered any new fiscal powers as part of Gloucestershire's devolution bid?</p>	<p>Gloucestershire's devolution bid set out in detail ours and our partners "asks" of Government. We would like more local flexibility of funding streams to support our ambitions of driving economic growth and public sector reform. We are still in discussions with officials around the finer detail.</p>
<p>20. Questioner's name: Cllr Jeremy Hilton</p>	<p>Respondent's name: Cllr Mark Hawthorne</p>
<p>To: Cllr Mark Hawthorne</p> <p>Why haven't we received a proposal from the Secretary of State in response to Gloucestershire's devolution bid?</p>	<p>Following on from a positive meeting with the Secretary of State in November, we are in active discussions with his officials about the finer detail of the bid. When those discuss have concluded, I anticipate we will have more concrete news to share.</p>

<p>21. Questioner's name: Cllr Jeremy Hilton</p>	<p>Respondent's name: Cllr Mark Hawthorne</p>
<p>To: Cllr Mark Hawthorne</p> <p>Why do we need a combined authority to progress the devolution bid, why don't we ask for devolved powers for Gloucestershire County Council?</p>	<p>Strengthened governance is a pre-requisite to further devolved powers. Almost all of the devolution deals done so far have a combined authority.</p> <p>Gloucestershire's devolution bid argues that, notwithstanding our track record of working together, the existing arrangements to drive local growth and public sector reform are complex, confusing and fragmented. A combined authority would be a new legal entity and a single place to deliver the devolution deal. Our devolution bid is about genuine partnership working across 10 organisations. It would be counter-productive for Gloucestershire County Council to 'go it alone'.</p>
<p>22. Questioner's name: Cllr Jeremy Hilton</p>	<p>Respondent's name: Cllr Ray Theodoulou</p>
<p>To: Cllr Ray Theodoulou</p> <p>The county council owns land at Clearwater Drive, what plans do you have for its future?</p>	<p>The site continues to be designated as a potential school site.</p>
<p>23. Questioner's name: Cllr Jeremy Hilton</p>	<p>Respondent's name: Cllr Will Windsor-Clive</p>
<p>To: Cllr Will Windsor-Clive</p> <p>Fire & Rescue Service responsibility was transferred from DCLG to the Home Office in January. Do you envisage there being any threat to the status of Gloucestershire Fire and Rescue Service as a county fire and rescue authority?</p>	<p>GFRS is significantly more efficient and more democratically accountable than stand-alone fire authorities. It benefits from economies of scale and scope in terms of back office functions, procurement and support by joining up with the council. As such, whilst stand-alone fire authorities might see economies of scale from joining up with their local police, that wouldn't be the case here. This is something that we have made clear to ministers, and something we think they appreciate. Nonetheless, we'll keep making that case through our MPs and by working with partners.</p>

<p>24. Questioner's name: Cllr Jeremy Hilton</p>	<p>Respondent's name: Cllr Vernon Smith</p>
<p>To: Cllr Vernon Smith</p> <p>What plans do you have to fix the growing number of potholes that are appearing on our roads because of winter weather damage?</p>	<p>Cllr Hilton will be well aware that during the winter months when roads are wetter and temperatures are colder that more potholes appear. This year through a combination of a mild winter and the additional investment this administration has made on preventative patching and resurfacing we are actually seeing fewer potholes than in previous years. We have 32 gangs fixing potholes everyday. As with every year during February and March gangs will be focusing on repairing safety defects and recovering the network from winter damage.</p>
<p>25. Questioner's name: Cllr Jeremy Hilton</p>	<p>Respondent's name: Cllr Vernon Smith</p>
<p>To: Cllr Vernon Smith</p> <p>How many TRO requests does the council have pending per district council area?</p>	<p>Highways Officers no longer hold a register of TRO requests. Cllr Hilton will recall that we have not had a budget for TRO work since 2010 and only TRO's funded by developers, specifically related to safety schemes linked to the road safety hotspot priority list, or funded from the Highways Community Offer match fund or by Member Highways Local funding are generally taken forward.</p>
<p>26. Questioner's name: Cllr Paul Hodgkinson</p>	<p>Respondent's name: Cllr Paul McLain</p>
<p>To: Cllr Paul McLain</p> <p>Please can the Cabinet Member confirm again whether there will be any changes to the provision of free school meals?</p>	<p>We have not been notified of any change to national policy on free school meals. However there is a change to the funding model with the government extending additional grants to smaller primary schools, which was unexpected extra support in this area.</p> <p>For the 2014/15 academic year primary and infant schools with 150 pupils or fewer received a 'transitional funding' grant based on the number of pupils on roll. That has been replaced for the 2015/16 academic year by a flat rate grant of £2,300 for all</p>

	<p>primary schools with 150 pupils or fewer. We, and schools, were expecting the 2014/15 allocation to be a one-off so the 2015/16 allocation will be viewed by schools as supplementary funding. We have had no feedback from schools about the charge in the way the grant is calculated.</p>
27. Questioner's name: Cllr Lesley Williams	Respondent's name: Cllr Ray Theodoulou
<p>50% of Oxfordshire's budget is spent on 2% of the population, please detail the comparable figures for Gloucestershire.</p>	<p>We estimate that 48% of Gloucestershire's budget is spent on 4% of its population. Without knowing the methodology that Oxfordshire have used to arrive at these figures, we cannot be sure that these figures are comparable.</p>
28. Questioner's name: Cllr Jasminder Gill	Respondent's name: Cllr Vernon Smith
<p>Have any other areas in the County been highlighted as possible fracking sites.</p>	<p>Details of licenses for on-shore oil and gas extraction are available on the Oil and Gas Authority's website.</p>
29. Questioner's name: Cllr Klara Sudbury	Respondent's name: Cllr Vernon Smith
<p>Cheltenham's MP Alex Chalk has said that free parking after 6pm should have been done "a long time ago". Can the Cabinet member confirm whether there are any plans to make all on "on street" parking in Cheltenham (with the exception of residents parking zones) free after 6pm?</p>	<p>See question 18.</p>
30. Questioner's name: Cllr Klara Sudbury	Respondent's name: Cllr Vernon Smith
<p>How much money has been paid in compensation to people tripping and hurting themselves on pavements in Cheltenham in the past 5 years?</p>	<p>A total of £68,659.73 has been paid out in compensation for trips on pavements in Cheltenham over the last five years.</p>

31. Questioner's name: Cllr Klara Sudbury	Respondent's name: Cllr Paul McLain
<p>Children living in the 'Leckhampton Triangle' in Cheltenham are losing out on places at their first, second or even third nearest senior school, with many being offered schools miles away across town or outside Cheltenham. The uncertainty around fair access to local senior school places creates stress for the children and families affected but the situation will only get worse when and if the 1,100 plus houses are built in Leckhampton as part of the JCS. What is the Local Education Authority doing to persuade Bournside and Balcarras Senior Schools to work together to ensure children living in the 'Leckhampton Corridor' are able to attend either of their nearest senior schools?</p>	<p>Gloucestershire County Council regularly meets with all Cheltenham's schools, both secondary and primary. The council has developed a variety of options against future demand, modelled on all the possible JCS (and other) developments and demographic growth. For more than two years the council has been actively discussing these options with Cheltenham school's Head Teachers and Governors. These conversations will continue. It goes without saying that the council will continue to encourage co-operation between all our schools on the issue of access from the Leckhampton Corridor and elsewhere.</p> <p>There is considerable capital set aside, in addition to potential S106, to support expansion in the town. The council recently funded Independent curriculum analyses at Balcarras and Bournside. The council identified potential lands for expansion at Balcarras and entered negotiations with the landowners. Earlier this year, Balcarras indicated that they did not wish to follow through on that option. (Please note that Gloucestershire County Council ceased being a 'Local Education Authority' more than a decade ago.)</p>
32. Questioner's name: Cllr Steve Lydon	Respondent's name: Cllr Ray Theodoulou
<p>Please detail what the transitional funding for GCC looks like, including a break down of why GCC got this figure</p>	<p>This Council will receive £2.47 million in transitional funding for both 2016/17 and 2017/18, and we understand that it is calculated on a combination of varying thresholds of RSG losses by tier.</p>

<p>33. Questioner's name: Cllr Chris Coleman</p>	<p>Respondent's name: Cllr Paul McLain</p>
<p>To: Cllr Paul McLain</p> <p>When did the Cabinet Member first become aware of the plans by Bournside School to change their Catchment Area to remove the St Marks, St Peters and Hester's Way wards?</p>	<p>I was first made aware of the plans following formal notification from Bournside School. This was received by the council on 14th December 2015 at the start of their consultation period.</p>
<p>34. Questioner's name: Cllr Chris Coleman</p>	<p>Respondent's name: Cllr Paul McLain</p>
<p>To: Cllr Paul McLain</p> <p>What, if any, advice or support did Gloucestershire County Council give to Bournside School in the development of their planned changes to their catchment area? If a payment was made for this advice, what was the value?</p>	<p>No specific advice or support was provided to Bournside School when developing their proposed catchment area.</p> <p>As an Academy School, Bournside buys back legislative guidance and admissions data throughout the year as part of the council's standard traded services package. This will presumably have been used to inform their decision making.</p>
<p>35. Questioner's name: Cllr Chris Coleman</p>	<p>Respondent's name: Cllr Paul McLain</p>
<p>To: Cllr Paul McLain</p> <p>Will the Cabinet Member join me in calling on Bournside School to immediately reconsider their plans and specifically provide an urgent assurance that all parents in St Marks, St Peters and Hester's Way will be able to send their children to Bournside, their local school, in future academic years?</p>	<p>It is not in the council's power or mine to instruct an Academy on their admissions. However in the council's formal response to Bournside School, I asked for the following feedback to be given - asking them to consider the impact of their proposal on all families.</p> <p>"We are aware of concerns within the community that you may have not consulted effectively on your proposed policy. As you know, the local authority has a role in monitoring compliance with the Schools Admission Code and therefore we would be looking for reassurances from you that the Governing Body has fully met its duty in this respect.</p> <p>In response to the proposed changes to your priority</p>

consideration area, we welcome any solution which helps to provide Leckhampton children with a local school place. However, we do feel that all schools should cater for their local community and therefore believe that your proposed extension may overcompensate for the Leckhampton issue; particularly its south boundary in Tewkesbury district.

Given the concerns raised by the community, whilst not a protected characteristic within the Equality Act 2010, we would also recommend that you consider the impact that the proposed change to your priority consideration area could have on social inclusion and social diversity within the school and that you reference this alongside your other evidence of taking due regard during your decision making process to comply with the School Admission Code.”

In addition I asked that a further letter be sent on the basis of the school’s consultation process

“We have been contacted by a number of interested parties with concerns that you have not sufficiently carried out your consultation in line with the mandatory aspects of the School Admissions Code – particularly by ensuring that parents have been directly consulted with for at least six weeks.

The local authority is required to ensure that all schools and academies comply with the Code and therefore I would be grateful if you could supply me with the evidence of your consultation so we can determine whether you have fully met your duty in line with Chapter 3 of the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 and Sections 1.43 & 1.44 of the Code.

A failure to consult effectively would require escalation to the School Adjudicator for their investigation irrespective of what changes the Governing Body may determine to the admission

	<p>arrangements, and therefore I would be grateful if you could send me this information at your earliest convenience to ensure that we are able to make comment before their determination is made.”</p> <p>We are now waiting for the Governing Body to decide whether to proceed with their plans</p>
36. Questioner's name: Cllr Chris Coleman	Respondent's name: Cllr Paul McLain
<p>To: Cllr Paul McLain</p> <p>Will the Cabinet Member acknowledge that there is a legitimate issue which leads to some children in the south of Cheltenham not being able to secure a place at either Bournside or Balcarras? Will he support a call for both schools to agree to an urgent solution to this problem which benefits the affected children and their families without removing the ability of children in St Marks, St Peters and Hester's Way to attend Bournside?</p>	<p>Please see my answer to Q31 and Q35. In principle, we would support any attempt at a solution which will improve this situation but would not want to see a change in policy which merely moved this issue to a different part of the town.</p>
37. Questioner's name: Cllr Chris Coleman	Respondent's name: Cllr Vernon Smith
<p>To: Cllr Vernon Smith</p> <p>At the last meeting of the County Council, I asked for information around the GCC approach to street trees in Cheltenham to be provided to me and all Cheltenham Members. Will he please review the original question and provide an explanation as to why the information has not been provided? Will he now take the opportunity to answer the question as he previously agreed to?</p>	<p>I understand this information has been shared with you. Street trees in high risk pedestrian areas in Cheltenham are inspected annually and maintenance activities are planned to ensure they remain in a safe condition. In addition, highways crews work 365 days a year to respond to emergencies when trees or branches are damaged and to investigate concerns about tree safety.</p>
38. Questioner's name: Cllr Chris Coleman	Respondent's name: Cllr Vernon Smith
<p>To: Cllr Vernon Smith</p>	<p>Amey has just completed a programme of work to remove 54 tree stumps in the Cheltenham area and are about to start the</p>

<p>There are an increasing number of tree stumps being left on roads across Cheltenham. Will the Cabinet Member agree that this is wholly unacceptable? Will he immediately direct his Officers and agents acting for the County Council to remove those stumps immediately and undertake to stop leaving stumps in place following the felling of street trees?</p>	<p>replanting of some 100 trees in the area. I appreciate that this is something of an issue for Cllr Coleman – but, whilst it’s important, removing tree stumps should, in my view, always come as a secondary priority to road repairs.</p>
<p>39. Questioner’s name: Cllr Chris Coleman</p>	<p>Respondent’s name: Cllr Vernon Smith</p>
<p>To: Cllr Vernon Smith</p> <p>Like many roads in my Division, Tennyson Road is falling apart. There are numerous potholes and the speed bumps are all breaking down posing danger to all road users. Will the Cabinet Member confirm how many potholes have been filled on this road in the last three years and what the total cost of this work has been? Will he explain why the repairs break down so often causing them to need to be refilled? Will he confirm how many potholes on this road have had to be fixed more than once? Will he call for an urgent survey of this road, and all similarly affected roads in my Division, to ensure that the reactionary and poorly carried out repairs cease and instead these roads are properly resurfaced?</p>	<p>I’m surprised that Cllr Coleman hasn’t raised these issues directly with his Local Highway Manager.</p> <p>We have repaired 31 safety defects on Tennyson Road in the last year. We currently do not have any plans to resurface the road but I will ask the Local Highways Manager to review the road condition and to see if it warrants any localised patching in the next year.</p> <p>I’m very happy to provide Cllr Coleman with the contact details for his Local Highway Manager, and for Amey, so that he doesn’t have to wait until Full Council meetings to raise these sorts of issues on behalf of his residents.</p>
<p>40. Questioner’s name: Cllr Chris Coleman</p>	<p>Respondent’s name: Cllr Vernon Smith</p>
<p>To: Cllr Vernon Smith</p> <p>Will the Cabinet Member confirm that the final decision as to whether to proceed to the next stage of public consultation on the Railway Area Parking Review rests entirely with the County Council?</p>	<p>Whilst the final decision rests with the County Council the views of partners including Cheltenham Development Task Force are particularly important.</p>

<p>41. Questioner's name: Cllr Chris Coleman</p>	<p>Respondent's name: Cllr Vernon Smith</p>
<p>To: Cllr Vernon Smith</p> <p>Given that all local Councillors representing the areas covered by the Railway Area Parking Review, together with the vast majority of local residents, want the next stage of the consultation to continue, will the Cabinet Member instruct his Officers to accept this fact and proceed with the consultation as originally planned?</p>	<p>I understand that officers from the county's parking team have arranged to meet local Councillors in Cheltenham next week to discuss the situation. I understand Cllr Coleman is unable to attend, I would be happy to arrange for officers to meet him at a time of his convenience.</p> <p>We are aware of plans for significant investment in Cheltenham Spa station, including additional car parking capacity. Cheltenham Development Task Force has asked us to defer making changes until these are in place.</p>
<p>42. Questioner's name: Cllr Lesley Williams</p>	<p>Respondent's name: Cllr Mark Hawthorne</p>
<p>Will the leader work with the Order of St. John and trade union colleagues in the council to bring both sides back to the table and not see Unison derecognised by a GCC contractor?"</p>	<p>Whilst I hope that OSJ and Unison are able to resolve their disagreement, it wouldn't be appropriate for the council to be involved.</p>