



## MINUTES OF COUNTY COUNCIL MEETING

DATE: Wednesday 11 September 2024 TIME: 10.00 am

### Present

#### Membership:

Cllr Carole Allaway-Martin	Cllr Tim Harman	Cllr Sajid Patel
Cllr Matt Babbage	Cllr Joe Harris	Cllr Alan Preest
Cllr Paul Baker	Cllr Mark Hawthorne MBE	Cllr Philip Robinson
Cllr John Bloxsom	Cllr Colin Hay	Cllr Steve Robinson
Cllr David Brown	Cllr Jeremy Hilton	Cllr Vernon Smith (Chair)
Cllr Alastair Chambers	Cllr Stephen Hirst	Cllr Lisa Spivey
Cllr Cate Cody	Cllr Paul Hodgkinson	Cllr Lynden Stowe
Cllr Linda Cohen	Cllr Nick Housden	Cllr Wendy Thomas
Cllr Stephen Davies	Cllr Beki Hoyland	Cllr Brian Tipper
Cllr Dr David Drew	Cllr Mark Mackenzie- Charrington	Cllr Pam Tracey MBE
Cllr Ben Evans	Cllr Chris McFarling	Cllr Chloe Turner
Cllr Stephan Fifield	Cllr Paul McLain	Cllr Robert Vines
Cllr Bernard Fisher	Cllr Dr Andrew Miller	Cllr Roger Whyborn
Cllr Andrew Gravells MBE	Cllr Graham Morgan	Cllr Kathy Williams
Cllr David Gray	Cllr Dom Morris	Cllr Susan Williams (Vice- Chair)
Cllr Terry Hale	Cllr Gill Moseley	Cllr Suzanne Williams
Cllr Rebecca Halifax	Cllr Emma Nelson	Cllr Dr David Willingham

**Apologies:** Cllr Alex Hegenbarth, Cllr Dave Norman MBE and Gordon Shurmer (Honorary Alderman)

## 2. MINUTES

The minutes of the meeting held on 26 June 2024 were confirmed and signed as a correct record.

## 3. DECLARATIONS OF INTEREST

No declarations of interest were received.

## 4. LEADER OF COUNCIL

4.1 The Chair reminded Council that at the previous Cabinet meeting, it was announced that Cllr Mark Hawthorne would be stepping down as Leader. Members were now required to elect a new Leader in accordance with the Constitution for the remainder of the current four-year term of this Council. The Chair thanked Mark on behalf of Council for all he had done in his position as Leader for the last 14 years.

4.2 He added the following tribute from himself.

**4.3 Cllr Vernon Smith (Chair of Council)**

“First of all, Mark, I would like to say thank you. I remember as a new councillor, and a bouncing puppy running around in 2009 “what can I do, how can I assist” I was very honoured to be appointed Cabinet Champion for Flooding in 2010. I would like to add that on the back of that I would say that Gloucestershire County Council has delivered nearly £50m in flood alleviation schemes with partners around the county and also protecting over 2000 properties from flooding. I know the work continues. I appreciate the chance and opportunity you gave me back then. Also, can I add my absolute thanks for my decade as highways portfolio holder, working with you, I remember when we first looked at highways, there was £120m backlog and rising. You listened, we worked together with cabinet, with members and the backlog decreased, we are halving the backlog now and I know Cllr Morris is still moving that forward and we continue with that work. Mark thank you for Highways Local being brought in and the Lengthsman Scheme, now the Community Maintenance Scheme. These were all fantastic schemes and I think, members, we would all agree that these are really great schemes for members and our communities. I must end with I saying appreciate delivering £150m for your highways, thank you Mark.”

4.4 The Chair invited Cllr Hawthorne to say a few words.

**4.5 Cllr Mark Hawthorne**

“First of all, thank you Vernon for your very kind words and I’d like to thank anyone else who is planning to say anything nice about me, if you’re not planning to say anything nice about me, I will have words with you afterwards. I have enjoyed my last 14 years as a county councillor and indeed, when I stand down next year from the county council, my 26 years of public service here in Gloucester and Gloucestershire. When I first stood following my colleague Paul James all the way back in 1998, I had no idea then that I would still be doing it as I approach my 50<sup>th</sup> birthday. And indeed, when I came to the county council in 2009, I found out the day before polling day that Barry Dare had very kindly been going around telling all the journalists that I would be his successor. I hadn’t even won the seat at that stage, and it took me 12 months to win the group over before I became Leader of this council. I was greatly honoured to follow in the footsteps of someone like Barry Dare. A few of you may recall Barry, he was a true gentleman, and he was a great part of supporting me, and a great part of supporting this county. The last 14 years feel like a bit of a blur, they have gone really, really quickly. We have done amazing things together and when I say together, I mean together cross party cooperation in this council is not something we necessarily shout about on council day, but it does happen. We do on many occasions stand united together in supporting our local communities, campaigning for things we believe are right for our county and

our residents, and I think that's something we should be truly proud of because every single person in this chamber is elected for the same purpose: to serve the residents of Gloucestershire. We might hold different rosettes and opinions about how that service is best delivered but our passion for our community is the one thing that keeps us coming back time and time again. It has been a true privilege and honour for the last 14 years to be the leader of this council but also to help fulfil for so many of you, as individuals, the aspirations of your communities and to take forward some of the ideas and innovations that you bring to this chamber and make them real for the people of Gloucestershire. I'm going to finish there because I don't want to spend a huge amount of time reminiscing about old times because I think today is about the end of my period as leader of this council, but it is also about someone new becoming the leader of this council and it is something that I believe we are always best at in this chamber is looking forward to the future. Whilst I am happy to have played my part, I am also happy today to pass on the baton to the next leader and next leadership team, and to make sure Gloucestershire continues to be a great place to live and I will certainly be looking from the sidelines and cheering you all on, despite the many trials and tribulations I know you will face going forward. Thank you all for your support and good luck for the future. Thank you."

4.6 The Chair invited other members to pay their tributes.

4.7 **Cllr Lynden Stowe**

"Mark and I were both elected to the county council on the same day back in 2009 but we had been very much aware of each other much before that because we were leader at Cotswold and Gloucester respectively. What I can say is it's been an absolute privilege to work under Mark in the Cabinet and Deputy Leader since 2021 and that might not necessarily have been the case, if there had been another outcome discussed briefly, we were probably at loggerheads back in 2016 when the 'Coxit' proposals were on the table. I absolutely appreciate Mark taking me back in under that wing in 2017 when I joined the Cabinet. Mark, you have been a superb leader, there is no doubt about that. You are incredibly knowledgeable, absolutely on top of your brief and really, really hard working. You have also been on top of the national brief and involved nationally and that's really important because it means the profile of Gloucestershire has been at the top of that table for many years now. I think the true measure of a great leader is the way you deal with a really difficult crisis and let's face it, we had a crisis – the Covid Pandemic which was not even a once in a lifetime crisis, it was a once in several generations' crisis; and you showed outstanding leadership for the county during that Covid period and the build back period afterwards. A true leader and a brilliant advocate for the people of Gloucestershire during that period. Locally you have achieved some great achievements, first of all let's mention the cycle spine that is brilliant, when you now see what's being built and the work that went into that. Javelin Park it may well have been very, very controversial early on but the absolute commitment to knowing this was the right thing was something that you stuck with, we stuck with, and you were

absolutely proven right. That is now a great asset for this council and county, and we are in a place where so many other local authorities would like to be in because of that decision that you took, and it was a hard decision. I know sometimes, as a leader, you can be in a very lonely place. Many other people will try to claim credit for the Missing Link from MPs to councillors to Ministers etc. but I know only one person deserves the absolute credit for getting this on the table and getting this underway and that's you Mark. Without a shadow of a doubt, it was Mark that brought everybody together and got that sorted and we can now see that being built out there on the roads and that is going to be a great thing for the economy of Gloucestershire for years to come. Mark, your legacy is one which is very firmly embedded in the infrastructure of Gloucestershire and it's a legacy that is going to last for generations to come. All I can say really is thank you, on behalf of all those people of Gloucestershire, and particularly those of us who have worked with you and I'm sure, as many others in the room, we all look forward to seeing what happens next. Thank you very much indeed".

#### **4.8 Cllr Lisa Spivey**

"Thank you Mark for everything you have done for the county and for this council in your time as leader here. Last year when we were at the County Councils Network Conference, you said that every decision you made, you always think about whether its right for Gloucestershire first and I think that's a really, really important position to take. It's what we do as councillors and leaders of our communities thinking about them – and that is the heart of public service so on behalf of our group, I would like to thank you for all of that and for really caring about what you do and the time you have put into it. We too on this side of the room are looking to the future and everything that holds and are very excited about the future of Gloucestershire. Thank you."

#### **4.9 Cllr Jeremy Hilton**

"As Mark's local county councillor, when he steps down, he can always come to me if he has any problems related to where he lives. The first time I really met Mark was when I was canvassing in 2001, knocking on doors all by myself in a ward that nobody thought I was going to win, and there was a whole load of blue rosettes all over the place and over the hedge there was Mark, peering looking at me thinking, what's he doing. I thought "I'm going to win this election", and I did. But I have always enjoyed political debate with Mark, we have had some rigorous debates in Council, but we have never fallen out personally. I would often walk into his office to have a chat, when I was group leader, I could always negotiate with Mark and if there was an agreement, he stuck to his agreement. I never needed to worry he would change his mind. It was always a pleasure to work with him on that basis. I do think he is probably retiring at the right time: 50 years old. His mate Paul has already retired from active political work and of course next year, you are going to get thumped in the local elections and I'm sure he doesn't want to be leader of the opposition next time around. It's a good time to let Stephen

take over the reins and take on the job of leader of the opposition when we take over the Council as we have been doing elsewhere in Gloucestershire. Mark has also served on the city council with me and that was always a pleasure as well. He's making the right decision quite clearly not only for himself but because politics isn't favourable for the Conservatives at the moment, and I doubt they are going to change in the next few years."

#### **4.10 Cllr John Bloxsom**

"On behalf of the Labour Party, it falls on me to thank Mark for his many years of public service to this authority and indeed the city council. To acknowledge, Mark, your remarkable dedication to the county and to the interests of its communities, it's famously been said that a week is a long time in politics. So I think 26 years in local politics, including 14 years as leader of this authority that feels like an eternity.

In his time as a local councillor, Mark has served through the tenure of 8 Prime Ministers from Tony Blair, when Mark was first elected to the City Council, through to now a whole political generation with Kier Starmer as our new Prime Minister. Mark first won on the county council when he was elected for the then Moreland seat for the Conservatives which he gained from the Labour party on an 11% swing with a majority of 127. He then hopped across to Quedgeley in the subsequent election and he held that seat by 237 in 2013, subsequently 2017, 607 majority and then 2021 a 968 vote majority. He has seen off many opponents in that time, which includes myself as I stood for the Labour party against Mark in the 2017 election, I amassed 321 votes and Mark got 1364 and his majority at time was 607 so he was obviously doing something right. I reminded Mark that I had stood against him in 2017 during a late-night conversation at the County Councils Network Conference (it was in the bar I should add where we also spoke about errant members of our families). In many ways, getting elected to leadership is the easy part of a political journey, the hard part is to keep those you lead together and to stay there for as long as you wish. So, while Cameron, May, Johnson, Truss and Sunak have all come and gone (which is a remarkable pattern of regicide), Mark has remained as leader of the council. So the leadership challenge is that: holding a diverse group, often disputation by the nature of the individuals concerned, together and recognising that whilst opponents may sit opposite you, often enemies may also sit behind you. From our position, Mark has appeared to do a remarkable job on that score. 14 years in any leadership role is remarkable in any walk of life, particularly in a large and complex organisation like the county council.

Mark, you have now decided to follow other paths and no doubt you will take your time in choosing those. We wish you every success and future happiness to you and your family and thank you for your service and we wish you well in your future endeavours. We would also say that we look forward to cooperation with your successor in their role in the remainder of this

council although that tenure may be somewhat brief as we have elections coming up in May and we also look forward to those.”

#### **4.11 Cllr Cate Cody**

“The first time I had a proper conversation with Mark, also in the bar, was at one of the conferences. We were just digging down to start a hefty row about a difference of opinion when Pete saved the day, intervening in a rather quirky manner. I thought he was absolutely right; we are never going to agree on whatever it was. But good politics is about finding some common ground, even if there doesn’t appear to be that much. Mark is an avid meat eater and I just absolutely love my vegetables etc. But, with the Conservatives in power, it was up to us to find things that we thought were a good idea and would also appeal to Mark and his group and to other members. I am grateful for the time Mark has given and I am grateful that he was willing to listen to new concepts that perhaps he may not have come across before or have been interested in previously and I thank him for compromise.

Whatever your politics, being a councillor is not always easy, it can be really tough, and I salute anyone who has managed it for as many years as he. On behalf of the Green Group, we wish Mark all success in his next venture, and we would also like to extend our welcome to the new leader, whoever she or he may be, and hope that Mark has already had a positive conversation with them about the importance of continuing to make green improvements to our county for the benefit of everyone.”

#### **4.12 Cllr Joe Harris**

“Well Mark, you have achieved one thing today, because usually in this chamber, we are only ever nice about each other when people die, so actually that is an achievement: that you have councillors from across the political spectrum to say warm words.

I want to echo a lot of what has been said already. Regardless of political differences, you are an incredibly effective leader and what I would take from the last decade is that you built an incredibly effective team. That is testament in election results and in the agenda you have delivered over the years. Again, not one I would agree or particularly crow about myself but that is testament to you. In particular, you built an incredibly effective team with Richard Coates, your previous political adviser. You had an incredibly effective partnership there and I remember this incredibly well because it was one of my first council meetings, we had the usual emotions of the council chamber: Paul was throwing in some barbs, Mark you were getting a bit irritated, there was lots of debate across the chamber. I remember a particular councillor rather annoying me and I put a rather ill-advised tweet on social media, referring to that member as the Honourable Member for the early 19<sup>th</sup> century, and Mark I have to say, that spirit and showmanship in the chamber really was on show that day when Richard crept up to you as he

did, whispered in your ear and I have never seen a performance like it Mark. The faux outrage. I remember you saying, "I am shaking with anger", I will always remember that. Very early on that taught me the cut and thrust of politics very early on, you are incredibly effective, and you and Richard were a superb team, I really would say.

Of course, Lynden alluded to it, you are incredibly effective on the national scene as well, you have left a lasting legacy there. It shows you the esteem in which your conservative colleagues hold you in when you became the Chair of the Conservative Councillors Association. You had thousands and thousands of councillors at that stage, so to achieve that really was quite something. You were also a fixture as a result of that, every time there seemed to be a prime ministerial announcement, I would put on BBC news and Mark would be sat there in the first or second row, so I think there is some power that we don't know about there and maybe the reason the conservatives have gone through so many prime ministers is down to our friend here in the chamber. Mark, I don't know what you are hiding, I think you hold more power than you let on.

It's been an incredibly diverse decade and a half and it's fair to say the face of the council has changed immeasurably; and its lonely being a leader. Until you have been a council leader, it's quite a lonely experience and until you do that, it's an experience you don't quite appreciate. It's been a difficult time in regards to politics it has been a difficult time for local government – we have had austerity years, various crisis, Covid, inflation and everything else associated. To maintain over that time an incredibly steady ship is testament to you – throughout minority control and indeed with a majority is huge testament to the hard work you have put into that.

And you will be missed, I have incredibly enjoyed the exchanges over the years and I look forward to having a pint with you in the not too distant future and we can reminisce about all the fun we have had in the council chamber through the last decade or so. All the best."

#### **4.13 Honorary Alderwoman Lesley Williams**

"Thank you very much Vernon for letting me come and say, good luck. That's what I wanted to say. I wish you well. During my time as group leader, we would meet, and we would talk, and we wouldn't agree but we would talk and that's the important thing. John Bercow once said that we have lost the art of disagreeing agreeably, it's mantra that has been taken up on 'The Rest is Politics' podcast and that's what's important, if you can't talk about things and talk things through, you won't get anywhere so I really appreciated the times when I could walk in, and we could talk about things.

I do wish you well in all you do, everything that has been said so far, I would agree with, and if I get into trouble, so be it. It has been an effective council and Gloucestershire has done well with how it's been served. Is there something about 14 years – you stop after 14 years and the Tory

government stops after 14 years, is it some sort of magic number that we've missed. I'll leave it to you to decide. Thank you very much for letting me say good luck Mark, wish you well in all you do."

- 4.14 The Chair next asked for nominations for Leader of Council for the remainder of the civic year 2024-25.
- 4.15 Cllr Mark Hawthorne nominated Cllr Stephen Davies. This was seconded by Cllr Stephan Fifield.
- 4.16 No other nominations were received and the Chair congratulated Cllr Davies on his election as Leader of the Council.
- 4.17 **Cllr Stephen Davies**

"Before I talk too much, I wanted to say a few comments myself about Mark and I acknowledge that this is a tough act to follow. Thank you for all your kind words but I would just point out the immense arrogance of predicting what the electorate will do in 9 months' time. Anyway, Mark's legacy has largely been covered but I think his biggest legacy is that this council is solvent, whilst surrounded by councils of all political persuasions that are making cuts and when we look at that, that is not an accident, but Mark's legacy after 14 years, and should be recognised.

I worked with Mark for many years in a number of roles connected to both party, county and district before that and I don't think we have ever seriously disagreed and much has been said about his political skills, all of which I would echo. I would also like to add my personal thanks for his support and advice, particularly during this transition and I wish him all the very best in his exciting future.

I have often said whenever elected to a new position that the overwhelming emotion is how humbling it is. You often think about triumph when you win elections but almost every time I have won an election or been appointed to something, you suddenly realise the immensity of what you are doing and the privilege that it is to serve; so I am committed to doing my best for the people of Gloucestershire.

It will not surprise you one bit that there isn't going to be any major changes in policy as we change the leadership but I think you can expect a slightly different style, I'm not Mark, I'm Stephen; and I'm particularly keen to work better in partnership with our contractors, districts, boroughs and with the city, and in fact anyone who is interested in Gloucestershire and has Gloucestershire at their heart. I have already reached out to all of the leaders and chief executives of our district, borough and city and have meetings set up to meet with them and it's a horrible cliché that my door is always open, but I do appreciate a coffee and a chat to understand everybody's perspective.



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I thought it would be useful to briefly set out my priorities so that you understand what I am trying to achieve. The first is that we will continue to improve the county's roads, we will build on the progress that has been achieved in recent years, including making sure that information and engagement with residents continues to get better. I'm going to stand up for communities, making sure that when new housing is being proposed, that the impact on schools, roads and other key services is understood, and where we can, we are able to make the improvements in the infrastructure. I'm going to make sure that the council continues to act in a financially responsible way, I think that is hugely important, prioritising investment in those areas that will have the greatest impact on the lives of Gloucestershire residents. I will take particular interest and action to continue to improve SEND in the face of a rising demand. I think we need to work harder and smarter to support young people. I'm going to support adults who need our help the most, I think we need to make it easier for adults and those supporting them, to understand and access the care and support they need and help people begin to think about the years ahead and what their needs may be. I recently had personal experience of this, and I think there are things we can do much, much better. Behind all of this I believe we need to deliver a data-driven continuous improvement across this council, making sure council services continue to evolve in a mindset where they are always looking for ways to deliver better services and achieve better outcomes for Gloucestershire residents.

I thought you might be interested if I let you know what changes there may be in Cabinet, I thought I would announce those today and they will take effect after Cabinet next week. Lynden Stowe has chosen to step down from his role as Deputy Leader and I would like to thank him for his hard work and devotion to the council. I am very grateful that he is staying on in Cabinet with responsibility for Finance and Corporate Resources those things none of us understand but are hugely important and Lynden does. He is absolutely crucial to continuing the financial good management of this Council.

I am appointing Cllr Stephan Fifield as Deputy Leader and a Cabinet Member for Transformation and Change, to follow the focus on continued improvement.

Cllr Paul McLain will replace me as Cabinet Member for Childrens Safeguarding and Early Years, and I welcome Paul to that role. I would like to say how much I have enjoyed that role over the last 4 years.

The rest of Cabinet will largely stay unchanged, Cllr David Gray –Cabinet Member for Environment and Planning, Cllr Dom Morris – Cabinet Member for Highways and Flooding and difficult questions in Council, Cllr Carole Allaway-Martin – Cabinet Member for Adult Social Care, taking much of Stephan's previous responsibility although the refugees will go to Cllr Mark Hawthorne who has agreed to stay on in Cabinet, continuing that part of his portfolio which was responsibility for Public Health and for refugees. Cllr Philip Robinson will be Cabinet Member for Education and absolutely all

things buses. Cllr Dave Norman will be Cabinet Member for Fire, Community Safety and Libraries. All these changes will take effect on 18 September 2024.

Finally, I'm sure we will disagree, and we will argue, and we will have some fun that is the name of the game – but I also hope, and as Mark referenced, we continue to work together and make Gloucestershire the best place to live and work. Thank you.”

## **5. ANNOUNCEMENTS**

### **5.1 Pride in Gloucestershire**

The Chair stated that this year's pride event is taking place on Saturday 14 September, starting with the Pride March from Gloucester Cathedral at 11:15am to the festival site at Gloucester Park.

### **5.2 Anti-Slavery Day**

Members noted that Anti-Slavery day would be marked on 18 October 2024 providing us with an opportunity to raise awareness of human trafficking and modern slavery, and encourage government, local authorities, companies, charities and individuals to do what they can to address the problem.

### **5.3 Council photograph**

Members were asked to gather at the steps of Shire Hall for a Council photograph at 12:30pm, before the lunch break.

### **5.4 Olympics**

The Chair thanked all the British Olympians who took part in this year's Olympics and Paralympics, particularly those from Gloucestershire.

### **5.5 Gerald Dee**

The Chair shared the sad news that that former County Councillor Gerald Dee passed away recently. His funeral was being held on 13 September at St Barnabas Church in Tuffley. Gerald served on the County Council between 2009 and 2013 as well as on the City Council from 2008. He was also a member of the Police and Crime Panel. The Chair paid his condolences to his wife Paula on behalf of Council.

Members were invited to pay tribute to Gerald.

#### **a) Cllr Mark Hawthorne**

“Can I pass on my condolences to Paula. I have known Paula for a very long time. Gerald probably was on this Council the least because

he's actually very much a city councillor. He was on the city council from 2008 all the way up to 2021. He was here for a short period in 2009 but decided to stand down in 2013.

I first came across Gerald as the Chair of the 3 Bridges Neighbourhood Partnership, which was back in the day when there was lots of neighbourhood partnerships and 3 Bridges had been set up to pretty much cover a very diverse part of the city – Podsmead, Tuffley and that surrounding area. What impressed us the most by Gerald's actions when we first came across him, firstly was his dedication to the local community but secondly, his ability to chair a meeting full of people who were clearly never going to agree on anything and pull them together to form a cohesive agenda for that part of the community and get things done. As always, often the best councillors that all parties uncover are the ones you come across who are already doing the job and just don't realise it and Gerald Dee was always one of those colleagues.

The other thing I will always remember about Gerald: he served a long time with Colin Organ in Tuffley for many years. Sadly, Colin died a couple of years ago as well, so it really is the end of an era for Tuffley, but Paula took up the mantle and served after Gerald in Tuffley. The great thing about that was their house was always a base for operations. Whatever election, you would always end up at Gerald's house at some point. One thing I will always remember, there was a small toilet downstairs and Gerald, being Gerald, had kept that toilet full of really interesting reading material just in case you needed a bit of break from canvassing. We all knew he had a very important secret job that he wasn't allowed to talk about in his past, but you always got that sense from the reading material around his house that he was still keeping an eye on everyone and keeping in touch with that particular agenda.

I will remember Gerald greatly, he was a very kind and generous individual, he was someone who was really great to work with, who had a real passion for Tuffley and really understood the issues that were important to Tuffley, and I know he will be greatly missed by all the colleagues who knew and worked with him over the decades."

b) Cllr Andrew Miller

"Gerald had a stellar career working for government and I believe rose to the equivalent rank of Colonel. On retirement, he did a number of things, he was very involved in the local community, very involved in church, was a Church Warden at St Barnabas and eventually he decided to become involved in politics and stood for county council. One of the things he did on becoming a county councillor was to notice a small part in a very large regional planning document that referred to using land at Whaddon for housing and he started the Stop Whaddon campaign. And that was one issue that I can assure you

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has united, certainly all the conservative politicians in Tuffley, ever since; but its Gerald who needs to be credited for starting that very important campaign. Our condolences to you.”

c) Cllr Jeremy Hilton

“I knew Gerald better from working with him on Gloucester City Council and I just wanted to give my condolences to Paula and her family on his passing. He was a very pleasant individual, I can't remember at any time when he spoke in committees or in debates that there was any rank or political hostility, Gerald was always very open and came up with ideas that he wanted to put forward and he was a very nice bloke. His passing is sad, and I give my condolences to Paula and the family.”

Following tributes, members stood in a minute's silence for Gerald.

## **6. PUBLIC QUESTIONS**

Twenty public questions were submitted prior to the meeting. The following supplementary questions were asked:

Question 1 – David Redgewell asked the Cabinet Member to ask district councils to use Kassel kerbing in their transport infrastructure to make it accessible to all residents.

Cllr Philip Robinson said that he would keep talking to the districts about including accessible kerbs in their transport designs.

Question 2 – David Redgewell sought reassurance that the fading display screens in Gloucester's Bus Hub would be replaced.

Cllr Philip Robinson confirmed that GCC did not have overall responsibility for the maintenance of the Transport Hub but he would raise the issue of the fading display screens with officers.

Question 3 – David Redgewell asked if the Cabinet Member would contact Worcestershire County Council about restoring the 363 bus service between Upton upon Seven and Tewkesbury.

Cllr Philip Robinson stated that Worcestershire had not previously been interested in restoring this service due to a frequent rail connection, he asked if Mr Redgewell was in contact with the Cabinet Member at Worcestershire, to see if they would contact Cllr Robinson, due to Gloucestershire always previously having expressed a willingness to pursue this.

Question 4 – David Redgewell requested that the Cabinet Member make contact with the West of England Combined Authority (WECA) once more to try to restore the 84/85 bus service.

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Cllr Philip Robinson agreed to contact WECA again to try and restore the service despite WECA's previous lack of cooperation.

Question 5 – David Redgewell questioned when it was expected that the bus stops on the promenade would be cleaned and new timetables installed.

Cllr Philip Robinson said he would confirm this with officers.

Question 13 – Eric Torrington asked for an item on litter to be included on the Environment Scrutiny's work plan.

Cllr Chloe Turner agreed to add the item to the future work plan.

Question 14 – Eric Torrington asked whether GCC could nominate a 'Litter Champion' and whether more could be done to hold businesses to the litter legislation.

Cllr Chloe Turner highlighted that it was the responsibility of GCC's administration to decide if they wanted to nominate a 'Litter Champion' position, but she agreed to raise the issue of holding businesses to account at the next Gloucestershire Waste and Resources Panel.

Question 16 – Adrian Oldman questioned if the Cabinet Member would commit to publishing the external parking review report including lessons learnt.

Cllr Dom Morris said that the parking review was a fully transparent process, and lessons learnt were still ongoing.

Question 17 – Adrian Oldman asked why it was not possible to work with other bus providers to improve Stroud's bus services.

Cllr Philip Robinson confirmed that there was previously an issue with Stagecoach not being able to recruit enough bus drivers in Stroud but as Stagecoach were able to fix their bus driver shortage, there was no need to use other providers.

Question 18 – Adrian Oldman asked whether there were going to be any more improvements to the Stroud bus service.

Cllr Philip Robinson stated that there had already been improvements to the Robin, 65 and 67 bus services funded by the Bus Service Improvement Plan Plus funding, and it was expected that more improvements would be made to the 66 bus service with section 106 funding.

Question 19 – Adrian Oldman questioned why the Merrywalks Bus Hub would not have a public toilet.

Cllr Philip Robinson confirmed that there was already a toilet in the Merrywalks Shopping Centre.

## **7. CORPORATE PARENTING**

- 7.1 Cllr Stephen Davies, Cabinet Member for Children's Safeguarding and Early Years, presented the Corporate Parenting Report.
- 7.2 As this was Cllr Davies' final Corporate Parenting report as Cabinet Member, he thanked the Children's Services officers for all the hard work they continued to do to improve the service.
- 7.3 He informed members that the Corporate Parenting Group had now established six subgroups each of which focused on one of the Corporate Parenting Strategy's priority areas. All six of the subgroups would have met by the next Corporate Parenting Group meeting.
- 7.4 He explained that GCC had now become a member of the Care Leaver Covenant. The Covenant is a national inclusion programme that supported care leavers aged 16-25 to live independently and achieve their full potential through five key areas of support.
- 7.5 The Fostering service had reviewed the offer provided to kinship carers and had developed an implementation plan recognising where improvements were required and how to achieve these in a timely manner. It was confirmed that GCC continued to progress implementing the Mockingbird fostering programme across the county with their third constellation of carers launching in September.
- 7.6 Finally, it was explained that progress was being made towards opening the first two GGC managed children's homes, with recruitment of two registered managers, two deputy managers and the ongoing recruitment of wider staff teams.
- 7.7 Responding to a Member's question, the Cabinet Member stated that GCC's 'Language that Cares' policy was very important and therefore he would ask officers to include more information about the policy to its partners including the Constabulary and the District Councils.
- 7.8 Answering a member's query, Cllr Stephen Davies confirmed that exclusion rates were still an issue, he believed that there was still more focused work that needed to be done to reduce the number of exclusions.
- 7.9 A Member sought clarification as to why Family Action had not been in contact with Nailsworth's Youth Worker since they had taken over their contract in April 2024. The Cabinet Member clarified that Family Action had taken over Stroud's Family Hubs and that the Youth service contract had yet to be awarded. However, he agreed to talk to the Member about connecting the Youth Worker with Family Action.

- 7.10 Cllr Davies offered reassurance that he would check that the officers were doing all they could to get as many Strength and Difficulty Questionnaire responses as possible after the completion rate declined for the second quarter in a row.
- 7.11 Responding to a Member's question, the Cabinet Member confirmed that whilst the budget amendment to allow foster carers to be funded to adapt their homes was progressing, he would find out when the scheme would be live.
- 7.12 Responding to a Member's concern over the statistics around Children in Care being placed in three or more home in the last twelve months, the Cabinet Member said that whilst the statistic was improving, it was very dependent on several factors including GCC's ability to recruit and retain foster carers. However, he was confident that the two new GCC owned children's homes would help.
- 7.13 Answering a Member's question, Cllr Stephen Davies stated that he was pleased that GCC had successfully awarded the contracts for the Gloucester and Forest of Dean Family Hubs. He felt that improving Children's Services was focused on early intervention and that Family Hubs were a way to achieve this.

## **8. PETITIONS**

A petition from Cllr Chloe Turner, on behalf of residents for: Paving, cycle lane and traffic calming measures urgently needed Toadsmoor Road, nr. Millbrook, was presented to Cllr Dom Morris.

## **9. MOTIONS**

### **Motion 943: Swimming for all**

- 9.1 Cllr Jeremy Hilton proposed, and Cllr Linda Cohen seconded the following motion:

*This council agrees that all children in Gloucestershire should be able to swim by the time they leave school.*

*This council notes that swimming is part of the national curriculum and that children leaving primary school at year 6 are expected to be able to swim 25 metres.*

*Swimming is healthy and could help save a child's life.*

*Council notes several schools in Gloucestershire have their own swimming pools, and the 6 district councils operate public swimming pools.*

*Minutes subject to their acceptance as a correct record at the next meeting*

*This council calls on Cabinet to work with the districts, local schools, and in particular secondary schools to come forward with a program to identify children that cannot swim when they arrive at secondary school and ensure that they can do so before they graduate.*

*This council calls on Cabinet to engage with local schools, and in particular secondary schools, to raise the issue of children that cannot swim when they arrive at secondary school and seek to co-produce guidance for the identification of those children who cannot swim and work together to identify pathways and opportunities for those children to be able to learn to swim before they graduate.*

*This council also calls on Cabinet to work with Swim England to support young talented swimmers who may become future Olympic competitors.*

- 9.2 In proposing the motion, Cllr Hilton stated that swimming was a healthy form of exercise, both physically and mentally, as well as a potential lifesaving skill. It was therefore vitally important to ensure children in Gloucestershire left school being able to swim. As part of the national curriculum, children should be taught to swim at least 25 metres by the time they leave primary school. National statistics show that currently only 72% of children will achieve this, with 40% of the remaining 28% not even getting the opportunity to learn.
- 9.3 This motion therefore sought to understand what the situation was for children in Gloucestershire, whether all children were being offered the opportunity to learn to swim, and also whether schools had access to the right facilities. Cllr Hilton acknowledged the impact of rising costs for families and the widespread closure of facilities. He hoped all members would support this motion today.
- 9.4 Cllr Cohen as seconder reserved her right to speak.
- 9.5 Cllr Stephen Davies moved the following amendment, which was agreed by Cllr Hilton as original proposer:

*This council agrees that all children in Gloucestershire should be able to swim by the time they leave school.*

*This council notes that swimming is part of the national curriculum and that children leaving primary school at year 6 are expected to be able to swim 25 metres.*

*Swimming is healthy and could help save a child's life.*

*Council notes several schools in Gloucestershire have their own swimming pools, and the 6 district councils operate public swimming pools.*



Minutes subject to their acceptance as a correct record at the next meeting

~~*This council calls on Cabinet to work with the districts, local schools, and in particular secondary schools to come forward with a program to identify children that cannot swim when they arrive at secondary school and ensure that they can do so before they graduate.*~~

***This council calls on Cabinet to engage with local schools, and in particular secondary schools, to raise the issue of children that cannot swim when they arrive at secondary school and seek to co-produce guidance for the identification of those children who cannot swim and work together to identify pathways and opportunities for those children to be able to learn to swim before they graduate.***

*This council also calls on Cabinet to work with Swim England to support young talented swimmers who may become future Olympic competitors.*

- 9.6 Cllr Philip Robinson, Cabinet Member responsible for Education, welcomed today's motion saying it was a worthwhile action to understand the situation in Gloucestershire and echoing the comments around swimming being a hugely important life and lifesaving skill. He stated that as a council, we would have no power to require secondary schools to change their curriculum and therefore the amendment was necessary.

- 9.7 A member raised that there will be some children in Gloucestershire who were unable to swim due to disability, fear or for cultural reasons and would therefore welcome a slight amendment to make the wording of the motion more inclusive. Members agreed on the following addition:

*This council agrees that all children in Gloucestershire should be able to swim by the time they leave school.*

*This council notes that swimming is part of the national curriculum and that children leaving primary school at year 6 are expected to be able to swim 25 metres.*

*Swimming is healthy and could help save a child's life.*

*Council notes several schools in Gloucestershire have their own swimming pools, and the 6 district councils operate public swimming pools.*

***This council calls on Cabinet to engage with local schools, and in particular secondary schools, to raise the issue of children that cannot swim when they arrive at secondary school and seek to co-produce guidance for the identification of those children who cannot swim and work together to identify pathways and opportunities for those children to be able to learn to swim before they graduate, where possible.***

*This council also calls on Cabinet to work with Swim England to support young talented swimmers who may become future Olympic competitors.*

- 9.8 Statistics were shared from the Black Swimming Association which stated that 95% of black adults and 80% of black children in England could not swim. A member urged that more could and should be done to ensure lessons were available.
- 9.9 Members discussed the impact of the current economic climate, and the Covid pandemic in particular, on the closure of leisure centres or the decreasing ability of owners to maintain such facilities due to rising financial pressure.
- 9.10 A member raised that Cheltenham Borough Council, for example, offered free swimming lessons for children accessing food banks and welcomed the opportunity for the county to work with districts, to understand the good work already being done and to help identify what more could be achieved.
- 9.11 It was acknowledged that whilst the council did not always have the control to require change, it was still important for members to make a statement on these issues, identifying any possibility to make a difference and show Gloucestershire as a place for children to be safe and active.
- 9.12 In seconding the motion, Cllr Cohen echoed comments from members today, adding that the statistics for children unable to swim were getting worse and by 2030 it was estimated 6 out of 10 children leaving primary school will be unable to swim. She referenced leisure centres and swimming facilities that had been forced to close due to underinvestment and the need for vital repairs. Cllr Cohen stressed the vital importance of this lifesaving skill, stating that child drowning deaths in the UK had increased by 105% in the past three years. She also shared her personal experience of losing her husband due to a changing ocean current whilst on holiday. Cllr Cohen urged members to support today's motion.
- 9.13 In summing up, Cllr Hilton thanked members for their contributions today and echoed comments around the importance of children learning to swim where possible. He also referenced the recent Paralympics and urged that children with disabilities were always offered the opportunity to learn to swim where possible.
- 9.14 On being put to the vote, it was unanimously

**RESOLVED that**

*This council agrees that all children in Gloucestershire should be able to swim by the time they leave school.*

*This council notes that swimming is part of the national curriculum and that children leaving primary school at year 6 are expected to be able to swim 25 metres.*

*Swimming is healthy and could help save a child's life.*

*Minutes subject to their acceptance as a correct record at the next meeting*

*Council notes several schools in Gloucestershire have their own swimming pools, and the 6 district councils operate public swimming pools.*

*This council calls on Cabinet to engage with local schools, and in particular secondary schools, to raise the issue of children that cannot swim when they arrive at secondary school and seek to co-produce guidance for the identification of those children who cannot swim and work together to identify pathways and opportunities for those children to be able to learn to swim before they graduate, where possible.*

*This council also calls on Cabinet to work with Swim England to support young talented swimmers who may become future Olympic competitors.*

### **Motion 944: Standards of conduct by councillors**

9.15 Cllr John Bloxsom proposed, and Cllr David Drew seconded the following motion:

*Council believes that the highest standards of conduct in local government are needed to protect the integrity of decision making, maintain public confidence, and safeguard local democracy.*

*We note that the Review of Local Government Ethical Standards by the Committee on Standards in Public Life (CSPL, 2019) recommended that more needed to be done to achieve this and believe that this remains the case.*

*We note that the Committee found that whilst the vast majority of councillors and officers want to maintain the high standards of conduct it identified some specific areas of concern including “a minority of councillors [that] engage in bullying or harassment, or other highly disruptive behaviour”.*

*The subsequent production of a Model Code of Conduct (2020) by the Local Government Association and a Gloucestershire Member Code of Conduct (2022) are welcome, however, they are prevented from including the sanction of suspension that had been part of the sanctions regime prior to the changes introduced by the Localism Act 2011.*

*We note that CSPL recommended that, subject to appropriate safeguards, a local authority should be able to suspend a councillor for breach of a code of conduct and that, in evidence to CSPL and the LGA, professional bodies representing local government lawyers and chief executives argued that without effective sanctions, there is no deterrent and no confidence by those affected to pursue complaints.*

*Council welcomes renewed focus on standards and conduct in public life, including high standards of conduct by councillors, and calls on:*

1. *The Leader of Council to write to the Deputy Prime Minister and Secretary of State asking her to review the then Government's decision taken in 2022 not to bring forward legislation to provide local authorities with the power to suspend.*
2. *Group Leaders to take action to ensure that all members of their groups adhere to the seven 'Nolan' principles of standards in public life: selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.*
3. *The Audit and Governance Committee to consider what amendments or revision could be made, both now and in the future, to the Council's Code of Conduct in order to promote, maintain and assist in the achievement of high standards of conduct.*

- 9.16 In proposing the motion, Cllr Bloxsom stated that the public rightly expected the conduct of elected representatives to be exemplary. The Committee on Standards in Public Life set out '[The Seven Principles of Public Life](#)' in 1995, subsequently revised in 2012 and 2021, and these were adopted into this Council's Constitution and Member Code of Conduct and widely embedded in the culture of elected representatives.
- 9.17 He stated, at this time however, the standards regime had been weakened and this motion focused on one aspect of these changes, namely the absence of any power to suspend a member.
- 9.18 In its 2019 report, the Committee on Standards said: "*It is clear that the vast majority of councillors and officers want to maintain the highest standards of conduct in their authority, we have however identified some specific areas of concern, a minority of councillors engage in bullying or harassment or other highly disruptive behaviour.*" They Committee recommended that the power of suspension and a model code of conduct should be introduced, to enable councillors to be held to account for the most serious or repeated breaches, and to enable officers to address such behaviour. They also acknowledged the need to protect elected representatives from malicious and unfounded complaints.
- 9.19 In March 2022, the Government rejected the recommendations from the Committee on Standards, arguing that this was purely an internal matter for political parties to deal with. Cllr Bloxsom explained that today's motion asked the new Government to consider these recommendations again and hoped for Council's support.
- 9.20 Cllr Drew seconded the motion but reserved his right to speak.
- 9.21 A member shared that when the Standards Board and Adjudication Panel was abolished by the Localism Act, 60% of respondents to a survey of

council legal teams felt they did not have the tools to deal with councillors' behaviour as a result of these changes.

- 9.22 They added that in the Government's response to the recommendations in 2022, it stated that the previous standards regime had allowed politically motivated attacks and had a "chilling effect on free speech". The member recognised that any change would clearly need to be careful of any unintended consequences but there was real work to be done to reinstate public confidence, with a record 45% of the public saying in response to a recent survey, they almost never trusted government, regardless of party.
- 9.23 Several members shared their experience of the previous standards regime that had gone 'terribly wrong', giving examples of unfounded and malicious complaints on elected representatives, which had cost both the government and the individual a lot of wasted time and money to investigate. They felt very strongly the need to tread cautiously in taking this forward and avoid a return to the previous regime.
- 9.24 Some members added that any future threshold for the removal of an elected representative from their role, against the democratic process, had to be extremely high, stating that the final arbiter in any code of conduct issue must always be the electorate.
- 9.25 In seconding the motion, Cllr David Drew stressed to not underestimate the damage the MPs expenses scandal caused to the House of Commons in 2009. As a result, the Parliamentary Commissioner for Standards was created, and the Recall of MPs Act was established. Cllr Drew recognised comments today about the worry around vexation complaints but ultimately felt that all levels of government had to accept that the public view was important, and the public did not accept people in public office who were tainted by corruption. He hoped today's motion was a step in the right direction for local government to address this.
- 9.26 Cllr Bloxsom summed up the debate by confirming that this motion was not seeking a return to the former regime. He recognised the issues raised today by members and did not seek the establishment of massive bureaucratic machinery that stimulated huge numbers of vexation complains. He did however believe there was a need for appropriate safeguards and standards for local authority representatives, in the same way it existed for MPs. Cllr Bloxsom also recognised the public concern around ensuring elected representatives were behaving in a way that was fair and transparent.
- 9.27 He reiterated that the motion today focused on asking the Government to revisit the recommendations put forward in 2022, to allow local authorities to have a renewed conversation about what an appropriate renewed regime would look like and what safeguards would need to be in place.
- 9.27 On being put to the vote, it was

**RESOLVED that**

*Council believes that the highest standards of conduct in local government are needed to protect the integrity of decision making, maintain public confidence, and safeguard local democracy.*

*We note that the Review of Local Government Ethical Standards by the Committee on Standards in Public Life (CSPL, 2019) recommended that more needed to be done to achieve this and believe that this remains the case.*

*We note that the Committee found that whilst the vast majority of councillors and officers want to maintain the high standards of conduct it identified some specific areas of concern including “a minority of councillors [that] engage in bullying or harassment, or other highly disruptive behaviour”.*

*The subsequent production of a Model Code of Conduct (2020) by the Local Government Association and a Gloucestershire Member Code of Conduct (2022) are welcome, however, they are prevented from including the sanction of suspension that had been part of the sanctions regime prior to the changes introduced by the Localism Act 2011.*

*We note that CSPL recommended that, subject to appropriate safeguards, a local authority should be able to suspend a councillor for breach of a code of conduct and that, in evidence to CSPL and the LGA, professional bodies representing local government lawyers and chief executives argued that without effective sanctions, there is no deterrent and no confidence by those affected to pursue complaints.*

*Council welcomes renewed focus on standards and conduct in public life, including high standards of conduct by councillors, and calls on:*

- 1. The Leader of Council to write to the Deputy Prime Minister and Secretary of State asking her to review the then Government’s decision taken in 2022 not to bring forward legislation to provide local authorities with the power to suspend.*
- 2. Group Leaders to take action to ensure that all members of their groups adhere to the seven ‘Nolan’ principles of standards in public life: selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.*
- 3. The Audit and Governance Committee to consider what amendments or revision could be made, both now and in the future, to the Council’s Code of Conduct in order to promote, maintain and assist in the achievement of high standards of conduct.*

## **Motion 945: Preservation of Rights of Way in Gloucestershire**

9.28 Cllr Graham Morgan proposed, and Cllr Wendy Thomas seconded the following motion:

*This Council wants people from every background to have responsible access to nature around them with opportunity to enjoy our great Gloucestershire countryside. Our much-loved paths network is a gateway to the outdoors for many people that provides access to the health and wellbeing benefits associated with spending time in nature.*

*One key way to improve access to nature for people in Gloucestershire is for rights of way that have been used for generations to be legally recorded in order that they are protected into the future. That responsibility falls on this Council when it considers applications for paths to be recorded through Definitive Map Modification Orders.*

*Council notes that at Environment Scrutiny Committee of 17 July 2024 it was reported that the number of applications being fully 'resolved' between 2007-2020 roughly matched the number of new applications received and that therefore, the backlog was not reduced. We further note that it was stated that "without the investment of additional resources, the position regarding the backlog of applications will continue". That report also showed that in the period since 2020 there have been more applications made than cases resolved.*

*Despite additional resources it is clear that many paths are at risk of being lost as a result of the decision of the former Secretary of State to impose a cut-off date of 1 January 2031 under the Countryside and Rights of Way Act. It is alarming to note that the rate of progress in Gloucestershire in recent years suggests that the backlog of applications could take more than 20 years to resolve.*

*Delay can also be detrimental to the interests and ability of landowners to plan and invest in their land and businesses and who have the right to object to applications. An arbitrary cut-off date before the backlog of applications is determined is not, however, acceptable and indeed accentuates the problem as more applications are then submitted ahead of the cut-off date.*

*This uncertainty has been compounded by failure to make regulations in respect of transitional protection and savings, including the setting out exceptions to ensure that all valid applications made before the cut-off date can continue to be determined, along with those relating to unrecorded rights of way in urban areas, those in the List of Streets/National Street Gazetteer and the correction of any technical errors in the recording of paths.*

*Council notes that on 10th May 2024, DEFRA issued an update to say that work on the Statutory Instruments and guidance associated with the enacted 2031 cut-off had ceased and that no further timetable has been announced.*

*Council is concerned that this has caused concern and confusion, with questions being raised whether another the legislation will be repealed and/or when work will recommence on the Statutory Instruments and guidance.*

*This authority has a statutory duty to maintain an up-to-date definitive map and statement and Council is therefore particularly concerned with the longevity of the objected orders some of which have been waiting to be referred to the Secretary of State for over 20 years.*

*Council therefore resolves to:*

- 1. Call on the Leader of the Council to write to the Secretary of State seeking removal of the cut-off date of 1 January 2031 that her predecessor imposed under CROW Act.*
- 2. Commend the dedication and professionalism of staff seeking to resolve applications which can be contested by owners.*
- 3. Ask the Executive Director to report on the backlog of cases that require submission to the Secretary of State and ways of clearing this part of the backlog.*
- 4. Ask Cabinet to consider further enhancing the resources made available in making the Council budget so as to resolve more DMMO applications.*

9.29 In proposing the motion, Cllr Morgan recognised the additional resource that had been allocated but stressed that many rights of way in Gloucestershire remained at risk of being lost due to the imposition of the current cut-off date. He also stated that the presence of a cut-off date alone had also caused a surge in applications, which had increased the current backlog significantly. Cllr Morgan recognised that this was a very complex area of work, that was difficult to recruit to and that throwing funding at the issue was not the answer. He commended the council's officers for their hard work.

9.20 He accepted that this was a complicated situation but stressed that there was no way to resolve the outstanding backlog before the current 2031 deadline. He added that the previous government was in the process of seeking a way to protect applications submitted but not completed, before the 2031 deadline, but this was not agreed prior to the General Election. He repeated that he did not feel cut-off dates were the solution.

9.21 In seconding the motion, Cllr Thomas stressed how important it was to secure rights of access across the county, it was a right that we needed to ensure was preserved and held dear for future generations. She reiterated that the backlog was not reducing due to the number of new applications being received in advance of the current deadline. The consideration of applications was a specialised skill and required well-trained officers, this area of work needed more prioritisation by the council and more resource allocated. Cllr Thomas stressed that this was a right not all countries had to their land, and it was crucial we worked hard to preserve it.



- 9.22 A member reiterated the challenge of recruiting appropriately skilled officers in this area and suggested the need to explore 'grow your own' and retention strategies to avoid poaching between other local authorities.
- 9.23 Another member echoed comments around the importance of preserving our access to land through a well-funded team that ensured paths were not lost to development or closed by landowners, as well as maintaining the potential for future paths to be registered.
- 9.24 Cllr Willingham, on behalf of the Liberal Democrat Group, made a suggestion that rather than removing the deadline completely, it would be better to ask government to remove the current deadline, and review the situation across the UK before setting a new deadline that was realistic given the current resource and funding challenges.
- 9.25 Cllr Stephen Davies proposed the following amendment, this was seconded by Cllr Dom Morris:

*This Council wants people from every background to have responsible access to nature around them with opportunity to enjoy our great Gloucestershire countryside. Our much-loved paths network is a gateway to the outdoors for many people that provides access to the health and wellbeing benefits associated with spending time in nature.*

*One key way to improve access to nature for people in Gloucestershire is for rights of way that have been used for generations to be legally recorded in order that they are protected into the future. That responsibility falls on this Council when it considers applications for paths to be recorded through Definitive Map Modification Orders.*

*Council notes that at Environment Scrutiny Committee of 17 July 2024 it was reported that the number of applications being fully 'resolved' between 2007-2020 roughly matched the number of new applications received and that therefore, the backlog was not reduced. We further note that it was stated that "without the investment of additional resources, the position regarding the backlog of applications will continue". That report also showed that in the period since 2020 there have been more applications made than cases resolved.*

*Despite additional resources it is clear that many paths are at risk of being lost as a result of the decision of the former Secretary of State to impose a cut-off date of 1 January 2031 under the Countryside and Rights of Way Act. It is alarming to note that the rate of progress in Gloucestershire in recent years suggests that the backlog of applications could take more than 20 years to resolve.*

*Delay can also be detrimental to the interests and ability of landowners to plan and invest in their land and businesses and who have the right to object*

*to applications. An arbitrary cut-off date before the backlog of applications is determined is not, however, acceptable and indeed accentuates the problem as more applications are then submitted ahead of the cut-off date.*

*This uncertainty has been compounded by failure to make regulations in respect of transitional protection and savings, including the setting out exceptions to ensure that all valid applications made before the cut-off date can continue to be determined, along with those relating to unrecorded rights of way in urban areas, those in the List of Streets/National Street Gazetteer and the correction of any technical errors in the recording of paths.*

*Council notes that on 10th May 2024, DEFRA issued an update to say that work on the Statutory Instruments and guidance associated with the enacted 2031 cut-off had ceased and that no further timetable has been announced. Council is concerned that this has caused concern and confusion, with questions being raised whether another the legislation will be repealed and/or when work will recommence on the Statutory Instruments and guidance.*

*This authority has a statutory duty to maintain an up-to-date definitive map and statement and Council is therefore particularly concerned with the longevity of the objected orders some of which have been waiting to be referred to the Secretary of State for over 20 years.*

*Council therefore resolves to:*

- 1. ~~Call on the Leader of the Council to write to the Secretary of State seeking removal of the cut-off date of 1 January 2031 that her predecessor imposed under CROW Act.~~*
- 2. Commend the dedication and professionalism of staff seeking to resolve applications which can be contested by owners.*
- 3. Ask the Executive Director to report on the backlog of cases that require submission to the Secretary of State and ways of clearing this part of the backlog.*
- 4. Ask Cabinet to consider further enhancing the resources made available in making the Council budget so as to resolve more DMMO applications.*

- 9.26 In proposing the amendment, Cllr Davies stated that he supported the motion whole heartedly, apart from the first resolution aimed at removing the cut-off date. He recognised the challenges faced by local authorities both in reducing the application backlog and also recruiting and retaining skilled officers to carry out the process. He stated however that the presence of a deadline added value; it added protection against future planning applications and it motivated individuals to make applications. With the recent government announcement on increased housing targets, he felt that the threat of planning made it more important than ever to get on with designating these pathways.

*Minutes subject to their acceptance as a correct record at the next meeting*

- 9.27 The Leader also added that the data showed a steady decrease in the number of new applications being made with 21 in 2021, 35 in 2022 and 13 in 2023, this showed hope that officers would begin to get on top of the backlog.
- 9.28 Cllr Hay suggested an adjournment for members to discuss the proposed amendments.
- 9.29 Following the adjournment, Cllr Bloxsom confirmed that agreement had been reached to amend the first resolution of the original motion as follows:
- [...]
1. *Call on the Leader of the Council to write to the Secretary of State seeking ~~removal~~ a **review** of the cut-off date of 1 January 2031 that her predecessor imposed under CROW Act.*
- 9.30 Summing up the debate, Cllr Morgan was pleased all parties could agree on a friendly amendment to the motion.
- 9.31 On being put to the vote, it was unanimously

**RESOLVED that**

*This Council wants people from every background to have responsible access to nature around them with opportunity to enjoy our great Gloucestershire countryside. Our much-loved paths network is a gateway to the outdoors for many people that provides access to the health and wellbeing benefits associated with spending time in nature.*

*One key way to improve access to nature for people in Gloucestershire is for rights of way that have been used for generations to be legally recorded in order that they are protected into the future. That responsibility falls on this Council when it considers applications for paths to be recorded through Definitive Map Modification Orders.*

*Council notes that at Environment Scrutiny Committee of 17 July 2024 it was reported that the number of applications being fully 'resolved' between 2007-2020 roughly matched the number of new applications received and that therefore, the backlog was not reduced. We further note that it was stated that "without the investment of additional resources, the position regarding the backlog of applications will continue". That report also showed that in the period since 2020 there have been more applications made than cases resolved.*

*Despite additional resources it is clear that many paths are at risk of being lost as a result of the decision of the former Secretary of State to impose a cut-off date of 1 January 2031 under the Countryside and Rights of Way Act. It is alarming to note that the rate of progress in Gloucestershire in recent*

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*years suggests that the backlog of applications could take more than 20 years to resolve.*

*Delay can also be detrimental to the interests and ability of landowners to plan and invest in their land and businesses and who have the right to object to applications. An arbitrary cut-off date before the backlog of applications is determined is not, however, acceptable and indeed accentuates the problem as more applications are then submitted ahead of the cut-off date.*

*This uncertainty has been compounded by failure to make regulations in respect of transitional protection and savings, including the setting out exceptions to ensure that all valid applications made before the cut-off date can continue to be determined, along with those relating to unrecorded rights of way in urban areas, those in the List of Streets/National Street Gazetteer and the correction of any technical errors in the recording of paths.*

*Council notes that on 10th May 2024, DEFRA issued an update to say that work on the Statutory Instruments and guidance associated with the enacted 2031 cut-off had ceased and that no further timetable has been announced. Council is concerned that this has caused concern and confusion, with questions being raised whether another the legislation will be repealed and/or when work will recommence on the Statutory Instruments and guidance.*

*This authority has a statutory duty to maintain an up-to-date definitive map and statement and Council is therefore particularly concerned with the longevity of the objected orders some of which have been waiting to be referred to the Secretary of State for over 20 years.*

*Council therefore resolves to:*

- 1. Call on the Leader of the Council to write to the Secretary of State seeking a review of the cut-off date of 1 January 2031 that her predecessor imposed under CROW Act.*
- 2. Commend the dedication and professionalism of staff seeking to resolve applications which can be contested by owners.*
- 3. Ask the Executive Director to report on the backlog of cases that require submission to the Secretary of State and ways of clearing this part of the backlog.*
- 4. Ask Cabinet to consider further enhancing the resources made available in making the Council budget so as to resolve more DMMO applications.*

### **Motion 946: The Court system in Gloucestershire**

9.32 Cllr Colin Hay proposed, and Cllr Lisa Spivey seconded the following motion:  
*Council notes:*

*Minutes subject to their acceptance as a correct record at the next meeting*

*The Crown and Magistrates Courts in Gloucestershire remain a matter of concern, are dated and are in a poor state of repair.*

*With the exception of Cirencester, neither the Crown nor Magistrates Courts comply with the Equalities Act, significantly restricting access to a important and vulnerable section of society.*

*The courts in Gloucestershire remain under extreme pressure, with significant backlogs, poor, outdated facilities, staff shortages and no medium- or long-term strategy for sustainable improvements. These have been exacerbated by funding cuts, staff shortages and case backlogs under the previous government.*

*The Cirencester Court licence to hear both Crown and Magistrates cases expires in March 2025.*

*Council believes:*

*That all Gloucestershire residents, including those with disabilities should have access to timely, local and effective justice.*

*That adequately staffed, well designed and maintained courts are an essential component to a successful and prosperous county.*

*That the current state of court services in Gloucestershire requires immediate attention and action from this council, the PCC, the local Criminal Justice Board and the Ministry of Justice.*

*Council resolves to:*

*Write to the Lord Chancellor and Secretary of State for Justice to express our concerns about the current state of court services in Gloucestershire and to request an urgent review of the resources allocated to our local courts.*

*Urge the Ministry of Justice and the PCC to extend the licence for Cirencester Courthouse.*

*Request the Ministry of Justice to engage with the Council, the local Criminal Justice Board and the PCC to draft a medium to long term strategic plan for the delivery of justice in Gloucestershire.*

- 9.33 Cllr Hay, in proposing the motion, stressed the effect that the current failure of the court system had had throughout the country and on residents in Gloucestershire. The delay for a criminal case to be brought before the court had multiplied many times, there were not enough prisons to house those being sentenced and the delay for the Corners Court often left people waiting 3 – 4 years to find out how their loved one had died. It was added that some of the court buildings in Gloucestershire were in desperate need of refurbishment and modernisation.

- 9.34 In summarising, Cllr Hay stated that the justice system was often referred to as one of the 3 tiers of democracy and letting down one part of the 'trio' of modern democracy was completely unacceptable. He cited the legal maxim 'justice delayed is justice denied'.
- 9.35 In seconding the motion, Cllr Spivey reiterated that the justice system was a corner stone of democracy, with an intention to deliver justice fairly, efficiently and without unnecessary delay. The current failings of the system had made delays the 'norm' rather than the exception, leading to profound consequences such as prolonged trauma, exacerbated mental health conditions and leaving people living with uncertainty.
- 9.36 She acknowledged that this Council did not have direct control over the judicial system, but it did have influence. She suggested members had a duty to show leadership and advocate for residents; to press for increased funding for courts; to advocate for greater investment in modern technology to streamline processes; and to work closely with local MPs to fight for a reformed court system.
- 9.37 The Leader suggested that all the motion resolutions were already being explored and actioned by Gloucestershire's Police and Crime Commissioner.
- 9.38 A member added a recent example of when the justice system needed to act quickly, it could, as in the response to the recent riots where those arrested had already been sentenced. They agreed that the system needed a full review and to ensure it was fit for purpose in the 21<sup>st</sup> century.
- 9.39 In summing up the discussion, Cllr Hay reiterated that this was an issue that mattered to residents. Whether we had direct control over it as a council or not, members needed to use their voice to call for change.
- 9.40 On being put to the vote, it was unanimously

**RESOLVED that**

*The Crown and Magistrates Courts in Gloucestershire remain a matter of concern, are dated and are in a poor state of repair.*

*With the exception of Cirencester, neither the Crown nor Magistrates Courts comply with the Equalities Act, significantly restricting access to a important and vulnerable section of society.*

*The courts in Gloucestershire remain under extreme pressure, with significant backlogs, poor, outdated facilities, staff shortages and no medium- or long-term strategy for sustainable improvements. These have been exacerbated by funding cuts, staff shortages and case backlogs under the previous government.*

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*The Cirencester Court licence to hear both Crown and Magistrates cases expires in March 2025.*

*Council believes:*

*That all Gloucestershire residents, including those with disabilities should have access to timely, local and effective justice.*

*That adequately staffed, well designed and maintained courts are an essential component to a successful and prosperous county.*

*That the current state of court services in Gloucestershire requires immediate attention and action from this council, the PCC, the local Criminal Justice Board and the Ministry of Justice.*

*Council resolves to:*

*Write to the Lord Chancellor and Secretary of State for Justice to express our concerns about the current state of court services in Gloucestershire and to request an urgent review of the resources allocated to our local courts.*

*Urge the Ministry of Justice and the PCC to extend the licence for Cirencester Courthouse.*

*Request the Ministry of Justice to engage with the Council, the local Criminal Justice Board and the PCC to draft a medium to long term strategic plan for the delivery of justice in Gloucestershire.*

## **10. MEMBERS' QUESTIONS**

Fifty-five member questions were submitted prior to the meeting. The following supplementary questions were asked:

Question 1 – Cllr Paul Hogkinson asked what the administration were doing to hold water companies' account for sewage in the county's waterways.

Cllr David Gray confirmed that this was a national issue and that Ofwat had been created to hold water companies to account. He said he looked for every opportunity for GCC to get involved in pushing this forward.

Question 2 – Cllr Paul Hogkinson questioned whether GCC would be leading a vaccination programme against the new variant of M Pox?

Cllr Mark Hawthorne stated that GCC were keeping the M Pox situation under review. He explained that they would not be leading a vaccination programme yet as they were unsure how the new variant was transmitted.

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Question 5 – Cllr Colin Hay asked how much additional money would come from GCC's reserves for the staff pay award if the agreed amount was higher than the 3% which had been budgeted for?

Cllr Lynden Stowe confirmed that GCC had adequate reserves to meet the staff pay award once agreed.

Question 6 – Cllr Lisa Spivey questioned whether the Cabinet Member would agree that the increase in compensation claims for Highways was because of the state of Gloucestershire's roads.

Cllr Dom Morris stated that the last few years had included one of the coldest and one of the wettest winters on record. He was proud of the way the Highways Transformation team had responded and the way the additional funding had been used.

Question 7 – Cllr Lisa Spivey asked for the total amount of money that had been claimed and how many claims had been paid out.

Cllr Dom Morris agreed to provide these figures in writing to the member.

Question 8 – Cllr Lisa Spivey queried why GCC paid out on so few claims.

Cllr Dom Morris said that the Highways Transformation team were fixing more potholes and doing more trials and innovations. He said that the team did review their work and would make improvements if they were needed.

Question 9 – Cllr Lisa Spivey asked for information on the number of claims that went to court.

Cllr Dom Morris confirmed that he would provide this information in writing.

Question 10 – Cllr Lisa Spivey questioned whether there was a threshold for the amount being claimed for vehicle repair compensation before it was taken to court.

Cllr Dom Morris confirmed that he could not discuss individual cases but that he would ask officers for further information.

Question 12 – Cllr David Willingham asked the Cabinet Member to review the Traffic Regulation Order (TRO) priority scheme.

Cllr Dom Morris stated that he was happy with the criteria for the prioritisation of TROs.

Question 13 – Cllr David Willingham sought reassured that the School Safety TRO in Cheltenham would be fully progressed by GCC.

Cllr Dom Morris explained that he would not make assurances on individual schemes.



Question 14 – Cllr Lisa Spivey questioned whether the Cabinet Member felt it was acceptable that TROs were taking twice the expected time.

Cllr Dom Morris confirmed that every application was treated as appropriate according to the scheme of prioritisation.

Question 15 – Cllr Colin Hay stated that there was an issue with the backlog of TROs, he asked whether the Cabinet Member felt there needed to be improvements.

Cllr Dom Morris clarified that he was content with how the TRO process was being run.

Question 18 – Cllr Paul Baker sought a timeline for when work would begin on removing the black tarmac in Cheltenham's Promenade.

Cllr Dom Morris said he would ask officers and confirm in writing to the member.

Question 21 – Cllr Paul Baker expressed his dissatisfaction that he had had to put in a members' question to receive any information about the progress of the new pedestrian crossing on Sandford Road.

Cllr Dom Morris apologised if officers had not been very communicative about why the project was not being taken forward and about alternative options.

Question 22 – Cllr Paul Baker questioned whether the Cabinet Member agreed that more fines and bans needed to be issued by e-scooter providers for inconsiderate parking.

Cllr David Gray agreed that safety concerns needed to be addressed and that there was a need for higher enforcement from the e-scooter provider and the Constabulary. He confirmed that he would meet with both parties to discuss this issue.

Question 23 – Cllr Suzanne Williams asked if the EV charging points on George Readings Way could be removed because they were taking up parking spaces and were not being used by residents.

Cllr David Gray explained that only two of the four spaces were being enforced as EV charging spaces. He explained that electric vehicles were still in their infancy and therefore whilst it would take a while for usage to grow, GCC was getting ahead of the infrastructure which will be needed over the coming years.

Question 25 and 26 – Cllr Bernie Fisher criticised the reply to his question as being too vague, he highlighted that the improvements to the M5 Junction 10 could only happen if GCC could secure external (developer) or national funding.

Cllr David Gray confirmed that around 80% of the funding to deliver this scheme had already been confirmed from Homes England. He explained that the

developers had recognised the need to financially contribute to the delivery of the Junction 10 scheme, in order to unlock the highest amount of housing potential. It was stated that if developers did not contribute, they would miss out on being able to build and sell thousands of homes due to capacity.

Question 27 – Cllr Bernie Fisher stated that Cheltenham and Tewkesbury Borough Councils would both have to agree with the full plan for the M5 Junction 10 and the Elms Park construction.

Cllr David Gray agreed that the districts would need to agree and that they needed to make sure that the development addressed issues with capacity. It was highlighted that there was a need for better infrastructure for this development which was why there was an ask to Government for funding.

Question 34 – Cllr Roger Whyborn questioned whether the Cabinet Member was delaying the revenue implications of the Trees for Streets scheme for the next administration.

Cllr David Gray stated that he did not believe the answer was suggesting this. He explained that it was important to maintain the trees after planting to ensure they could thrive.

Question 35 – Cllr Linda Cohen asked the Cabinet Member to contact the West of England Combined Authority once more to try and restore the 84/85 Bus Services.

Cllr Philip Robinson agreed to make one last contact.

Question 38 – Cllr Colin Hay criticised the roll-out of the residential electric vehicle charging points.

Cllr David Gray said that it was a complicated process and whilst he agreed that it hadn't been a perfect roll out, lessons had been learnt. He confirmed that GCC had over 200 active sites and that usage was constantly increasing. He did acknowledge that there were enforcement issues which would be addressed over time as demand increased.

## **11. SCRUTINY REPORT**

11.1 The report was noted.

11.2 As lead Cabinet Member, Cllr Philip Robinson agreed to follow up on the response to the Bus Improvement Task Group's recommendations.

## **12. YOUTH JUSTICE PLAN 2024/25**

12.1 Cllr Stephen Davies presented this plan to Council. He stated that it was a statutory requirement for the plan to be approved by Council and it had already been considered and approved by Cabinet.

- 12.2 He explained that this report had been produced at a time when the Council was transitioning its youth justice services in house which was scheduled to complete on 1 October 2024.
- 12.3 Cllr Davies commended the report both on its detail in terms of the data covered, but also on its clear indication of where the council was performing against each of its priority actions. These included, but were not limited to, rolling out our Children First approach into practical delivery, working to reduce the racial disparity currently seen and improving the health and wellbeing of young people in the justice system.
- 12.4 Noting the stated intention that young people were involved in the service plans, it was questioned to what extent young people had been involved in reviewing this Plan. Cllr Davies agreed to confirm this in writing to the member.
- 12.5 A member welcomed the reference to issues of deprivation and poverty being captured in the Plan and asked what was being done to prevent young people from ending up in the justice system in the first place, especially those being targeted by Serious and Organised Crime groups.
- 12.6 Cllr Davies explained that the service worked hard to intercept young people from coming into the system and trying to find an alternative route where they did, that did not result in a conviction and criminalisation at an early age.
- 12.7 In response to a question, Cllr Davies explained that it would be the decision of the Chair of the Children and Families Scrutiny Committee to consider this Plan at scrutiny, rather than Cabinet dictating this but agreed it would be a good idea for the next iteration of the Plan.
- 12.8 On being put to the vote, Council unanimously resolved to approve the Youth Justice Plan 2024/25.

### **13. AUDIT & GOVERNANCE CHAIR'S ANNUAL REPORT**

- 13.1 Cllr Bloxsom, as Chair of the Audit and Governance Committee, presented the report for Council to note.
- 13.2 He advised that this was the Annual Report of the work of the Committee, which took an overview of the governance and risk management arrangements within the authority and looked at the framework to see if there was adequate fulfilment of the Council's responsibilities.
- 13.3 Cllr Bloxsom advised that the foreword final paragraph of the published report needed updating as follows:

***"Finally, I would like to convey my thanks to all the members of the Committee and to the officers for all the work done during the past year which ensures that the Committee fulfils its role to advise on the***

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***adequacy and effectiveness of the Council's corporate governance arrangements and internal control environment*** *While the work was performed under somewhat challenging circumstances the results have justified the effort."*

- 13.4 He added that there was a review of the effectiveness of the Audit and Governance Committee due to report in December and this would be followed by an agreed action plan.

#### **CHAIRPERSON**

Meeting concluded at 14:37.