

Paragraph 12.02 of Part 4 of the Rules of Procedure contained within the City Council's Constitution provides that a Member of the Council may submit a written question to any Cabinet Member.

This document informs Members of Council of written questions put to Cabinet Members and written replies thereto.

Council is recommended to RESOLVE to note the written questions submitted and corresponding responses.

No.	Question from/to	Question
1.	From Councillor Haigh to the Leader of the Council	Who is responsible for ensuring that offensive material, such as the homophobic literature handed out at the carnival, is not given out at Council sponsored events and what steps will he take to ensure it does not happen in the future?
Response		
<p>The Carnival Application Form states:</p> <p>'You can hand out sweets, leaflets and stickers but only material that is appropriate to the event. (Organisers reserve the right to refuse permission to hand out material if necessary and may be asked to leave the procession).'</p> <p>The events team advise against distributing anything that is not suitable for a family audience, but this does involve a degree of subjectivity. Freedom of speech has in the past been cited (including by religious organisations) as a justification to distribute literature containing controversial views and the Council has been threatened with legal challenge. Where the content of literature is in breach of criminal law, it is a matter for the Police.</p> <p>We will look to strengthen the guidelines given to entrants and ask stewards to monitor more closely what is being distributed. However, such a system can never be fool proof and we hope carnival entrants will act in the spirit of the event, which is a fun family occasion, to bring the community together rather than divide it.</p>		
No.	Question from/to	Question
2.	From Councillor Haigh to the Cabinet Member for Housing, Health and Leisure	What are the numbers and locations of public access defibrillators in the City and is the Council taking any action to encourage that they be registered on http://aedlocator.org/ so that the public can access them quickly?
Response		
<p>We do not currently hold a register of where all the defibrillators are in the City, however we are aware of various initiatives to get them registered. There are a number of defibrillators located in the City:</p> <p>HKP Reception</p>		

	<p>GL1 Oxtalls Indoor Tennis Centre Shire Hall Eastgate Shopping Centre (x 2).</p> <p>As a Heart City we are aware of an initiative by the National Defibrillator Programme run by the British Heart Foundation (BHF). As part of this the BHF intend to establish a register of defibrillators around the country by 2016 similar to the service offered by AED Locator. As part of our Heart City initiative we will look to encourage all defibrillator owners to register their units so that we can increase the number of people that survive a cardiac arrest.</p>	
No.	Question from/to	Question
3.	From Councillor Hansdot to the Cabinet Member for Housing, Health and Leisure	Can the Cabinet Member for Housing, Health and Leisure confirm how many Houses in Multiple Occupation (HMO) there are in Barton & Tredworth and the number of occupants in each?
	<p>Response</p> <p>There are 24 licensed HMO's in the Barton & Tredworth ward. 23 of which are licensed to house between 5-10 occupants and 1 for up to 15.</p>	
No.	Question from/to	Question
4.	From Councillor Hansdot to the Cabinet Member for Environment	Is the Cabinet Member able to confirm how many businesses in Barton & Tredworth have arrangements in place for the collection of their trade waste and what powers the Council has to compel businesses to make such arrangements?
	<p>Response</p> <p>The Council does not hold a record of the number of businesses within the Barton & Tredworth area who have trade waste agreements in place. There is no legal obligation upon us to retain that record and doing so would prove time consuming and would be subject to constant change due to a variety of reasons, making it virtually impossible to keep current.</p> <p>Proactive Food Safety and Health & Safety Inspections of those businesses we regulate do involve assessing compliance with trade waste legislation. This would involve requesting evidence that a business has a trade waste agreement in place and that waste was being disposed of responsibly. Where an inspecting officer believes a business is non-compliant then that business would be given an opportunity to comply before we would consider taking enforcement action to seek compliance.</p> <p>During late 2012 and early 2013 the Council in partnership with the community implemented the Believe in Barton Project. The aim of this project was to improve the street scene environment by increasing residents pride in the area they lived and socialized in. One strand of this project looked at trade waste and officers proactively visited businesses on Barton Street to raise awareness and provide advice in respect of complying with the law. It was found that very few businesses held trade waste agreements and through provision of advice and in some cases enforcement, more than 20 businesses obtained trade waste agreements.</p> <p>The Council would look to act in line with its enforcement policy in respect of trade waste issues but every case will be judged on its merit. Generally however where a business is found not to have trade waste agreement in place</p>	

or in breach of its duty of care in respect of waste then they will be written to and provided with a reasonable timescale (usually 7-14 days) to secure compliance. Where business fail to co-operate with us we then have the ability to issue an Enforcement Notice requesting compliance. Failure to comply with this notice is a criminal offence which can be dealt with by way of a Fixed Penalty Notice (£100 within 14 days and £60 within 10 days) or indeed prosecution. However given the perceived low impact nature of the offence by our Court system these matters are in the main dealt with by way of Fixed Penalty Notice.

No.	Question from/to	Question
5.	From Councillor Gravells to the Cabinet Member for Regeneration and Culture	<p>In March of this year, Full Council agreed to a motion which I moved, calling for an urgent review of Planning policies and guidelines, in order to afford more protection to threatened City pubs like The Ridge and Furrow in Abbeydale, which Morrisons want to demolish to make way for a Petrol Filling Station.</p> <ol style="list-style-type: none"> 1. When will the Review be completed? 2. If it's not completed by the time Morrisons revised Planning application is submitted, can Morrisons application be deferred until the Review is completed and agreed by this Council
Response		
<p>Officers have reviewed the policy work produced by Cambridge, Lewisham and Kensington and Chelsea councils which have adopted interim planning policies to protect pubs. Each of these councils produced policies based on an extensive programme of research. It would appear appropriate for a planning policy to be included in the forthcoming Gloucester City Plan and officers will present a draft in the next month or so for consideration once they have completed their review of the loss of pubs across the city. The draft City Plan policy covering pubs will be the interim policy. It will therefore be a material consideration in the determination of planning applications. However, Members should be aware that this draft policy will have limited weight until such time as the Gloucester City Plan has been adopted following an independent examination.</p> <p>Central Government changed "permitted development" rights in 2013 to allow pubs (up to 150 square metres) to be converted to shops and other uses for a temporary period as a means of supporting economic growth and encouraging more flexible uses of commercial buildings, to help deliver new homes and to reflect changes in the way we use our high streets. The demolition of a pub outside of a conservation area does not need planning permission. Asking Central Government to change the law in relation to pubs or to impose new demolition controls would appear to be at odds with the thrust of recent national policy which has been to reduce planning regulation, but we have written to the Minister responsible to seek confirmation of Government policy.</p>		