



## COUNCIL

**Meeting: Thursday, 23rd March 2017 at 7.00 pm  
in Civic Suite, North Warehouse, The Docks, Gloucester, GL1 2EP**

### ADDENDUM

The following item although provided for on the agenda front sheet was not available at the time of dispatch:

<b>8.</b>	<b>REVIEW OF MEMBERS' ALLOWANCES 2017 (PAGES 5 - 8)</b>  To consider the report of the Chair of the Independent Remuneration Panel concerning the review of Members' Allowances 2017.
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The following item was not provided for in the agenda for the meeting; however, the Chair of the meeting has agreed to accept the report:

<b>11A</b>	<b>CHANGES TO CONSTITUTION - SCHEME OF DELEGATION RELATING TO PLANNING APPLICATIONS (FURTHER AMENDMENT) (PAGES 9-12)</b>  To receive the report of the Corporate Director concerning a further amendment relating to the Council's scheme of delegation on planning matters in relation to applications received from Members and Council officers or their immediate relatives.
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Yours sincerely

**Jon McGinty  
Managing Director**

## NOTES

### Disclosable Pecuniary Interests

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

<u>Interest</u>	<u>Prescribed description</u>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within the previous 12 months (up to and including the date of notification of the interest) in respect of any expenses incurred by you carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between you, your spouse or civil partner or person with whom you are living as a spouse or civil partner (or a body in which you or they have a beneficial interest) and the Council (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged
Land	Any beneficial interest in land which is within the Council's area.  For this purpose "land" includes an easement, servitude, interest or right in or over land which does not carry with it a right for you, your spouse, civil partner or person with whom you are living as a spouse or civil partner (alone or jointly with another) to occupy the land or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer.
Corporate tenancies	Any tenancy where (to your knowledge) – (a) the landlord is the Council; and (b) the tenant is a body in which you, your spouse or civil partner or a person you are living with as a spouse or civil partner has a beneficial interest
Securities	Any beneficial interest in securities of a body where – (a) that body (to your knowledge) has a place of business or land in the Council's area and

(b) either –

- i. The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
- ii. If the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, your spouse or civil partner or person with whom you are living as a spouse or civil partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For this purpose, “securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

NOTE: the requirements in respect of the registration and disclosure of Disclosable Pecuniary Interests and withdrawing from participating in respect of any matter where you have a Disclosable Pecuniary Interest apply to your interests and those of your spouse or civil partner or person with whom you are living as a spouse or civil partner where you are aware of their interest.

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For further details and enquiries about this meeting please contact Tanya Davies, 01452 396125, [tanya.davies@gloucester.gov.uk](mailto:tanya.davies@gloucester.gov.uk).

For general enquiries about Gloucester City Council’s meetings please contact Democratic Services, 01452 396126, [democratic.services@gloucester.gov.uk](mailto:democratic.services@gloucester.gov.uk).

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- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building; gather at the assembly point in the car park and await further instructions;
- Do not re-enter the building until told by a member of staff or the fire brigade that it is safe to do so.

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## GENERAL PURPOSES COMMITTEE

**MEETING** : Tuesday, 14th March 2017

**PRESENT** : Cllrs. Morgan (Chair), H. Norman (Vice-Chair), Haigh, Hilton, Hanman, Taylor and Coole

### **Others in Attendance**

Jon McGinty, Managing Director

Tanya Davies, Democratic and Electoral Services Manager

Parvati Diyar

## 24. DECLARATIONS OF INTEREST

The Chair declared a personal interest in Item 28, a report of the Chair of the Independent Remuneration Panel concerning the review of Members' Allowances 2017, as it included proposals for a Special Responsibility Allowance for his role. He advised that he would leave the meeting during discussion of that part of the report and return to take part in the debate on the other elements of the report.

## 28. REVIEW OF MEMBERS' ALLOWANCES 2017

The Committee received the report of the Independent Remuneration Panel (IRP) with regard to the Council's Members' Allowances Scheme and to seek a decision on an appropriate scheme for the payment of allowances in 2017-18.

The Chair welcomed Peter Jones, Chair of the Independent Remuneration Panel, and thanked him for attending the meeting.

The Chair withdrew himself from the meeting and took no further part in the debate.

The meeting was chaired by the Vice Chair for this part of the discussion.

### a) Allowances

The Chair of the Remuneration Panel referred to the three recommendations as detailed in the report. He advised the Committee that the report on the minor review had been prepared by the Council's IRP Panel which consisted of three members and thanked his colleagues for their involvement. All views expressed by the Panel had been unanimous.

**GENERAL PURPOSES COMMITTEE**  
**14.03.17**

The Chair of the Remuneration Panel thanked the Chair of General Purposes Committee for meeting with them. He also thanked the Democratic and Electoral Services Manager for the excellent work she had undertaken and for being extremely helpful.

In response to a question from Councillor Hilton, the Chair of the Remuneration Panel confirmed that the Panel had only been asked to review the allowance for the Chair of General Purposes Committee.

The Chair of the Remuneration Panel added that one Member had requested that the allowance for a particular Committee Chair should be increased. The Panel considered that changes to existing Special Responsibility Allowances (SRA) should not be considered in isolation and that, as the role was already in receipt of an SRA, a minor review was not the appropriate time to consider any further changes.

Councillor Hilton suggested that one area which could be looked at was the allowance for the Vice Chair of Overview and Scrutiny Committee, as the post worked closely with the Chair. Councillor Hilton requested the Panel to consider this allowance at a future review.

Councillor Coole commented that he had submitted a suggestion which also requested the allowance for the Vice Chair of Overview and Scrutiny Committee to be increased. He was advised that this would be looked at as part of a full review of Members' Allowances.

The Committee were advised that the next full review would be undertaken in 2019.

The Committee had no further comments to make and agreed to recommend that a Special Responsibility Allowance be introduced for the Chair of General Purposes Committee from 1 April 2017.

The Chair returned to the meeting.

b) The Council's Green Travel Policy

The Chair referred to paragraph 3.15 of the report referring to travel arrangements for Members. He questioned how a decision would be made if there was to be a disagreement over the suggested form of transport. He suggested this should be made clear from the start.

Councillor Haigh raised concerns that the Policy did not take into account the needs of Members and queried what would happen if a Member was offered a form of transport but chose not to use it. Councillor Haigh was advised by the Managing Director that the view taken by Cabinet was that Members should adhere to the same rules applied to Officers.

The Vice Chair advised that the Democratic Services team currently organised travel arrangements for Members. Councillor Haigh said it would not be appropriate for any Officers to make a decision on Members' travel arrangements.

**GENERAL PURPOSES COMMITTEE**  
**14.03.17**

Councillor Hilton commented that the Policy would require clarification as to how a decision would be made. He added that on occasions he would prefer to use his own vehicle to attend meetings and for long distance journeys he would prefer to use public transport. He suggested further analysis of the Policy would be required.

The Managing Director advised the Committee that Cabinet Members had recommended that the Policy to be applied to Members. Officers and Members would be required to provide information on their business journeys through a sophisticated online portal which would calculate the most cost effective and environmentally sustainable method of transport.

Councillor Haigh commented that Members were not employees of the Council and should therefore not be on the same terms as staff. She added that Members should be able to choose their method of travel. She said some Members would not choose the use of a hire car as they would not feel comfortable using the form of transport allocated to them.

Councillor Haigh suggested that Group Leaders should have the final decision to approve Members' travel arrangements.

Councillor Taylor considered that staff and Members should be reimbursed for the cheapest form of travel even if they chose to travel by a different method.

The Managing Director advised that travel costs would only be reimbursed if the Policy was adhered to; to reimburse for the cheapest form of travel was not considered to be enough of an incentive. The Committee were advised that a review would be undertaken on the effectiveness of the Policy after 12 months of operation.

Councillor Haigh proposed that Members use the portal on the basis that they would be able to refuse the method of transport offered if they were unhappy with it. She suggested this should be offered to Members on a voluntary basis and the Policy should recognise that Members conduct their business in a different manner to Officers.

In response to a query from the Vice Chair, the Democratic and Electoral Services Manager confirmed that the current mileage rate for the use of a private motor vehicle was 50p per mile.

Councillor Hanman referred to the electric cars. The Managing Director confirmed that the Council would be moving towards having a pool of modern and environmentally friendly fleet vehicles.

The Committee were advised that the Members' Allowances report would be presented to Council on 23 March 2017.

The Chair of the Remuneration Panel advised that it was desirable for Members to adhere to the same Policy as staff. He added that the Panel would be prepared to review the operation of the Policy at an appropriate time.

**GENERAL PURPOSES COMMITTEE**  
**14.03.17**

The Chair commented that, as there would be a limited number of Members affected by this, the Policy should be reviewed in six months which would meet the concerns expressed by the Committee.

Councillor Haigh moved an amendment that the Green Travel Policy be offered to Members on an optional basis and the effectiveness of the Policy be reviewed after 12 months of operation.

The Chair put the amendment to the vote, which was carried.

The Democratic and Electoral Services Manager confirmed that the Committee's recommendation would go forward to Council along with the Panel's own recommendation.

General Purposes Committee **RESOLVED TO RECOMMEND** to Council that:

- (1) A Special Responsibility Allowance of 0.3 x the Basic Allowance be introduced for the Chair of General Purposes Committee with effect from 1 April 2017.
- (2) That the Council's Green Travel Policy be offered to Members on an optional basis and the effectiveness of the Policy be reviewed after 12 months of operation.
- (3) The Scheme of Members' Allowances set out in Appendix 1 be approved for 2017-18, subject to the amendment proposed at recommendation (2).

**Time of commencement: 6.00 pm hours**

**Time of conclusion: 7.00 pm hours**

**Chair**



<b>Meeting:</b>	<b>General Purposes Committee Council</b>	<b>Date:</b>	<b>14 March 2017 23 March 2017</b>
<b>Subject:</b>	<b>Changes to Constitution - Scheme of delegation relating to planning applications (Further amendment)</b>		
<b>Report Of:</b>	<b>Corporate Director Partnerships</b>		
<b>Wards Affected:</b>	<b>All Wards</b>		
<b>Key Decision:</b>	<b>No</b>	<b>Budget/Policy Framework:</b>	<b>No</b>
<b>Contact Officer:</b>	<b>Anthony Wilson, Head of Planning</b>		
	<b>Email: anthony.wilson@gloucester.gov.uk</b>	<b>Tel:</b>	<b>01452 396830</b>
<b>Appendices:</b>	<b>None</b>		

**FOR GENERAL RELEASE**

Note: The special circumstances for non-compliance with Access to Information Rule 5 and Section 100B (4) of the Local Government Act as amended (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were to enable the report to be amended following consideration by the General Purposes Committee.

**1.0 Purpose of Report**

1.1 To propose a further amendment relating to the Council’s scheme of delegation on planning matters in relation to applications received from Members and Council officers or their immediate relatives.

**2.0 Recommendations**

2.1 General Purposes Committee is asked to **RECOMMEND** that

- (1) The suggested changes to the Constitution set out in Para 3.5 of this report be approved by Council.

2.4 Council is asked to **RESOLVE** that

- (1) The suggested changes to the Constitution set out in Para 3.5 of this report be approved.

**3.0 Background and Key Issues**

3.1 The wider scheme of delegation has previously been considered by Constitutional Working Group on 5 October 2016, General Purposes Committee on 18 October and Council on 1 December.

- 3.2 In terms of existing delegation arrangements related to applications made by Members, Officers and their relatives, the Council’s current position is that only applications made by Members or Officers alone would be referred to Planning Committee for determination. This does not now reflect recent changes to national practice which also includes applications submitted by immediate relatives and this formed the basis of the proposed amendment in order to improve transparency in this area.
- 3.3 As part of this proposed amendment, an additional criterion was included which would maintain delegated authority for any application submitted by an Officer below ‘team leader level’.
- 3.4 At Council on 1 December, a Motion was submitted by Cllr Haigh to amend the proposed delegation by the removal of the criterion to maintain delegated authority for applications submitted by ‘junior’ Officers. The intention of the Motion was to seek to ensure that the resultant consideration of all such applications by Planning Committee would assist the Council in maintaining the transparency of the planning application process.
- 3.5 It is suggested that the Motion as raised during the consideration at Council would provide a clear and unambiguous process that would maintain transparency in decision making. While this amendment would result in more applications being referred to Planning Committee, the numbers involved would be very small and not add an unreasonable burden to the work of the Committee. It is therefore proposed that the scheme of delegation be amended in line with the proposal below.

<b>EXISTING WORDING</b>	<b>PROPOSED WORDING</b>
Applications submitted by a serving Member or Officer of the Council.	Applications submitted by a serving Member or Officer of the Council; or submitted by an immediate relative to either of the above.  <i>Revised wording also widened to include relatives – this is consistent with a question contained on the national planning application forms, and increases transparency.</i>

**4.0 Asset Based Community Development (ABCD) Considerations**

4.1 Not applicable

**5.0 Alternative Options Considered**

5.1 Not changing the Constitution is an option. However, this would mean the current list of applications to be determined by Planning Committee would remain in place without achieving the benefits to be gained through the proposed modifications.

**6.0 Reasons for Recommendations**

6.1 The proposed change provides improved transparency in relation to applications submitted by Members, Officers or their relatives.

## **7.0 Future Work and Conclusions**

7.1 If approved, the amendment to the Constitution will be made following consideration by Council on 23 March.

## **8.0 Financial Implications**

8.1 None.

## **9.0 Legal Implications**

9.1 The proposal will require an amendment to the Constitution which needs to be approved by full Council.

## **10.0 Risk & Opportunity Management Implications**

10.1 Updating the types of applications to be handled by Planning Committee reduces the risks that may arise from uncertainty of whether some applications can be handled under delegated powers or not.

## **11.0 People Impact Assessment (PIA):**

11.1 The PIA Screening Stage principally focussed on the fact that these are procedural changes to clarify who determines planning matters. As the ultimate decisions on such matters are made in terms of national and local planning policy, and also that principally it is the impacts of the development that are fundamental rather than who the applicant is.

11.2 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

## **12.0 Other Corporate Implications**

### Community Safety

12.1 Not applicable.

### Sustainability

12.2 The principle of sustainable development is at the heart of the planning system, although these procedural changes should have no significant additional effects on sustainability.

### Staffing & Trade Union

12.3 Not applicable.

**Background Documents:** None

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