



COUNCIL

MEETING : Thursday, 19th January 2012

PRESENT : Cllrs. Lewis, Tracey, James, Morgan, Llewellyn, Williams, Organ, Hilton, Haigh, Gravells, Durrant, McLellan, C. Witts, Smith, Lugg, Noakes, Ravenhill, Hanman, Wilson, Bhaimia, S. Witts, Field, Brown, Dee, Porter, Taylor, Beeley, Dallimore, Hansdot, Wood, Gilson, Mozol, Patel, Randle and Toleman

APOLOGIES : Cllrs. Hobbs

67. PRAYERS

67.1 Prayers were offered by the Mayor's Chaplain, the Reverend Suzanne Skipper.

68. MINUTES

68.1 The minutes of the meeting held on 24 November 2011 were confirmed and signed by the Mayor as a correct record.

69. DECLARATIONS OF INTEREST

69.1 Councillors James, Hilton and Smith declared personal, but non-prejudicial interests in matters concerning the Gloucester Heritage Urban Regeneration Company Board.

69.2 During consideration of Item 10, the City Vision, Councillors Llewellyn, Haigh, Lugg, Wilson, McLellan, S. Witts, Field, Porter, Taylor, Dallimore and Wood declared personal, but non-prejudicial interests in matters concerning the City's schools.

70. PUBLIC QUESTION TIME (15 MINUTES)

70.1 Mr Perkins asked the following question of Councillor James (Leader of the Council and Cabinet Member for Regeneration & Culture):

COUNCIL
19.01.12

“What is the Council’s policy with regard to parking ticket violations in the City of Gloucester and are Members aware of my personal experience?”

70.2 Councillor James stated that the Council had set procedures for dealing with such matters, but that he could not comment on individual cases. He advised that officers would take the details of Mr Perkins’ case and investigate the matter.

71. PETITIONS AND DEPUTATIONS (15 MINUTES)

71.1 There were none.

72. ANNOUNCEMENTS (COUNCIL PROCEDURE RULE 2(VII))

Mayor’s Announcements

72.1 The Mayor announced that the Sheriffs’ Dinner Dance would take place in the City on 3 March 2012 on behalf of the Shrievalty Association and that the Mayor’s Charity Ball would take place on 5 May 2012.

72.2 The Mayor welcomed Tanya Davies, the new Democratic & Electoral Services Manager, to the Council.

73. SUSPENSION OF COUNCIL PROCEDURE RULES

73.1 Moved by Councillor James and seconded by Councillor Morgan (Deputy Leader and Cabinet Member for the Environment).

73.2 **RESOLVED** - That Council Procedure Rules be waived to enable Officers to address the Council in respect of items 9, 11 and 12 on the agenda.

74. KINGS QUARTER - DEVELOPMENT AGREEMENT

74.1 The Council considered a report concerning the proposed development agreement for the planned regeneration scheme in the King’s Quarter area.

74.2 Councillor James stated that the scheme was the most important development that the Council was working on and that it would improve the City’s retail offer and enable improvements to two high profile areas: the bus station and King’s Square. He advised that good progress had been made to date and that, if the development agreement was approved, public consultation and a planning application would follow. He thanked the Director of Regeneration and officers involved in the project and urged the public and all stakeholders to support the scheme.

74.3 Councillor James moved the recommendations set out in the report.

74.4 The motion was seconded by Councillor Morgan.

74.5 Councillor Hilton (Leader of the Liberal Democrat Group) noted the cross-party support for the development and highlighted the importance of demonstrating this to the Council’s preferred developer, Stanhope. He stated that the scheme would

COUNCIL
19.01.12

encourage improvements in other parts of the City and help independent retailers to survive by bringing shoppers back into Gloucester.

74.6 Councillor Haigh (Leader of the Labour Group) welcomed the scheme and stated that it was necessary in order to meet aspirations to become a modern and thriving City. She praised the quality of Stanhope developments in other cities and advised that consultation must engage with all groups, including young people.

74.7 Councillor Morgan welcomed the consensus. He stated that Members had been impressed with Stanhope and their aspiration to provide a large-scale, high-quality scheme. He urged the people of Gloucester to contribute to the consultation and take ownership of the development.

74.8 Councillor James also welcomed cross-party support for the development and agreed that it was essential to ensuring that residents and visitors continued spending in the City. He gave assurances that the consultation process would be broad and advised that Stanhope planned to involve young people through a targeted event.

74.9 **RESOLVED** that –

- (1) the Heads of Terms of the draft Development Agreement set out in Appendix 3 (Confidential Document) of the report be approved.
- (2) the Director of Regeneration be authorised, subject to appropriate consultation with the Leader of the Council, to undertake all necessary further detailed negotiations, amendments, approvals and completion of the Development Agreement by 31st July 2012.
- (3) subject to the completion of an appropriate contract (Development Agreement), officers be instructed to publish a Voluntary Ex Ante Transparency Notice (VEAT) in the OJEU, to advise the EU market of the intended award of contract in respect of the King's Quarter regeneration project.
- (4) A progress report be made to Cabinet by July 2012.

75. CITY VISION

75.1 The Council considered a report concerning the City Vision, a partnership document owned by Gloucester Partnership Strategic Board (GPSB).

75.2 Councillor Williams (Cabinet Member for Communities & Neighbourhoods) summarised the process followed in developing the City Vision and advised that the consultation had been the largest and most inclusive exercise undertaken by the Council, involving all key stakeholders and achieving an excellent response rate. She explained that detailed action plans were being drawn up and that comments from the Overview & Scrutiny Committee and GPSB would be incorporated in the final document; any further amendments put forward by the Council would be considered by GPSB before the City Vision was finalised.

75.3 Councillor Williams moved the recommendations set out in the report.

COUNCIL
19.01.12

- 75.4 Councillor James seconded the motion.
- 75.5 Councillor Gravells proposed the following amendment to the recommendations:
- (1) The City Vision be adopted.
 - (2) The Overview & Scrutiny Committee be requested to review the progress being made on the work contained in the Action Plan, on a quarterly basis.**
 - (3) Councillors are given the opportunity to be involved in the Action Groups delivering the strategy and kept informed of the activities undertaken at all levels of the Partnership, particularly those taking place within their wards.**
- 75.6 The amendment was seconded by Councillor Dallimore and accepted by Councillor Williams.
- 75.7 Councillor Lugg (Chair of the Overview & Scrutiny Committee) proposed the following amendment to new recommendation (2):
- (2) The Overview & Scrutiny Committee be requested to review the progress being made on the work contained in the Action Plan, on a ~~quarterly~~ **regular** basis.
- 75.8 The amendment was seconded by Councillor Haigh and accepted by Councillor Williams.
- 75.9 Councillor Taylor proposed the following amendment to the list of changes to be put to GPSB:
- That the alternative wording suggested by the Overview & Scrutiny Committee for paragraph 6 of the ‘Economy, skills and unemployment’ section of the City Vision (detailed in Appendix 2 of the report) be replaced by:**
- “Whilst performance is high in many secondary schools in Gloucester City, educational attainment as a whole is lower than to which we aspire.”**
- 75.10 The amendment was seconded by Councillor Wood and accepted by Councillor Williams.
- 75.11 The Chief Executive confirmed that Council’s comments would supersede those of the Overview & Scrutiny Committee (OSC).
- 75.12 Councillors Llewellyn, Haigh, Lugg, Wilson, McLellan, S. Witts, Field, Porter, Taylor, Dallimore and Wood declared personal, but non-prejudicial interests in the debate due to their connections to schools in the City.

**COUNCIL
19.01.12**

- 75.13 Councillor Taylor stated that the alternative suggested by OSC did not acknowledge the achievements of the City's schools.
- 75.14 Councillor Haigh stated that OSC's wording should stand as the section in question contained facts, not aspirations. She noted that low educational attainment in the City related to the population, not schools and that many children living in the City attend schools outside its boundaries.
- 75.15 Councillor Hilton advised that he supported the OSC alternative wording, particularly as it had received cross-party support.
- 75.16 Councillor James noted that the City Vision was intended to present the City in a positive light and that the suggested wording could be perceived as negative. It was a fact that performance in some schools was high and also that educational attainment was lower than aspired to.
- 75.17 Councillor Wood reported that six out of the City's nine secondary schools achieved above the County average and that it was important to acknowledge it in the City Vision by making a positive statement.
- 75.18 The amendment was put to the vote and was carried.
- 75.19 Councillor Haigh proposed the following addition to the list of changes to be put to GPSB:
- That the following be added to the 'Economy, skills and unemployment' section of the City Vision:**
- "There is a shortage of well paid and highly skilled jobs."**
- 75.20 The amendment was seconded by Councillor Smith.
- 75.21 Councillor Williams stated that there was no evidence to support the amendment.
- 75.22 The amendment was put to the vote and was lost.
- 75.23 Councillor Haigh proposed the following addition to the list of changes to be put to the GPSB:
- That the following be added to the 'Your Prosperity' section of the City Vision:**
- "Helping to maximise income for the City's residents."**
- 75.24 The amendment was seconded by Councillor Smith and accepted by Councillor Williams.
- 75.25 Councillor Smith proposed the following addition to the list of changes to be put to the GPSB:

COUNCIL
19.01.12

That a reference to support for disadvantaged groups, such as older people and the disabled, be added to the ‘Your Community’ section of the City Vision.

75.26 The amendment was seconded by Councillor Haigh and accepted by Councillor Williams.

75.27 Councillor Williams thanked Members for their contributions and advised that she looked forward to working collaboratively on taking the City Vision forward.

75.28 **RESOLVED** that –

- (1) The City Vision be adopted.
- (2) The Overview & Scrutiny Committee be requested to review the progress being made on the work contained in the Action Plan, on a regular basis.
- (3) Councillors are given the opportunity to be involved in the Action Groups delivering the strategy and kept informed of the activities undertaken at all levels of the Partnership, particularly those taking place within their wards.

76. HOUSING CONSULTATION

76.1 The Council considered a report concerning proposals to change the Council’s approach to strategic housing consultation and amend the Constitution accordingly.

76.2 Councillor Taylor (Chair of the Constitutional & Electoral Working Group) advised that the Housing Forum had become outdated and that the proposals were aimed at providing greater flexibility, enabling officers to consult on the housing strategy with the relevant groups at the appropriate time.

76.3 Councillor Taylor moved the recommendations set out in the report.

76.4 Councillor James seconded the motion.

76.5 Councillor Smith raised concerns that the approach would not be inclusive, particularly if areas where neighbourhood partnerships did not exist were left out of the process.

76.6 Councillor Taylor explained that the aim was to move away from a prescribed approach to allow the Council the freedom to consult with various groups.

76.7 **RESOLVED** that –

- (1) The revised approach to strategic housing consultation for the City be supported.
- (2) The Housing Forum be replaced with more flexible arrangements, responsive to the requirements of local communities.

COUNCIL
19.01.12

- (3) It be noted that the scrutiny role of Registered Housing Providers (RHP's) is not a function of the Council but new consultation arrangements for RHP's will deal with scrutiny issues through the newly designed 'Tenant Panels' as explained at paragraph 4.4 of the report.

77. MEMBER TRAINING

77.1 The Council considered a report concerning Member training requirements for the Council's Planning and Licensing Committees.

77.2 Councillor McLellan reported that the Standards Committee had considered that matter and agreed the approach detailed in the report, which was aimed at ensuring that Members of the Council's regulatory Committees were trained to prevent any potential legal challenge made on that basis.

77.3 Councillor McLellan moved the recommendations set out in the report.

77.4 Councillor Haigh seconded the motion.

77.5 Councillor Smith moved the following amendment to the recommendations

- (1) Training for new Members of the Planning and Licensing and Enforcement Committees should continue as set out in the Council's Code of Practice for each committee;
- (2) Refresher training for Members of the Planning and Licensing and Enforcement Committees should take place every 3 years **and that all Members must attend once within 3 years.**
- (3) The Standards Committee's emphasis of the need for an ongoing programme of training and comments regarding Member training be noted.
- (4) **Any Member not trained will not be permitted to vote on any applications and that accurate records of training must be kept.**

77.6 The amendment was seconded by Councillor Haigh and accepted by Councillor Taylor.

77.7 **RESOLVED** that –

- (1) Training for new Members of the Planning and Licensing and Enforcement Committees should continue as set out in the Council's Code of Practice for each committee;
- (2) Refresher training for Members of the Planning and Licensing and Enforcement Committees should take place every 3 years and that all Members must attend once within 3 years.
- (3) The Standards Committee's emphasis of the need for an ongoing programme of training and comments regarding Member training be noted.

COUNCIL
19.01.12

- (4) Any Member not trained will not be permitted to vote on any applications and that accurate records of training must be kept.

78. PROGRAMME OF MEETINGS, MAY 2012-NOVEMBER 2013

78.1 The Council considered a report concerning the proposed programme of ordinary meetings of Council and calendar of other meetings for the period of May 2012 to November 2013.

78.2 Councillor James moved the recommendations set out in the report.

78.3 Councillor Llewellyn (Cabinet Member for Performance & Resources) seconded the motion.

78.4 Councillor Noakes moved the following amendment to recommendation (3):

- (3) The proposed changes to the respective start times for Annual Council and Budget Council be approved **and take immediate effect**.

78.5 The amendment was seconded by Councillor Taylor and accepted by Councillor James.

78.6 Councillor Lugg suggested the following amendments to the timetable to enable an additional Overview & Scrutiny Committee meeting to be added to the programme in December 2012 specifically to consider the Council's Budget:

- **Organisational Development Committee to be moved from 26 to 19 November 2012**
- **Audit Committee to be moved from 3 December to 26 November 2012.**
- **Additional Overview & Scrutiny Committee meeting to be scheduled for 3 December 2012**
- **Overview & Scrutiny Committee meeting scheduled for 28 January 2013 to be cancelled.**

78.7 Councillor Durrant identified that the Licensing & Enforcement Committee meeting scheduled for 18 December 2012 would be too late to consider any Christmas licences and it was suggested that the meeting be swapped with the Standards Committee meeting scheduled for 11 December 2012.

78.8 Councillor James accepted the amendments.

78.9 **RESOLVED** that –

- (3) The 18-month programme of ordinary meetings of Council and calendar of other meetings for the period of May 2012 to November 2013 be approved with the following amendments:

- Organisational Development Committee to be moved from 26 to 19 November 2012
- Audit Committee to be moved from 3 December to 26 November 2012.

COUNCIL
19.01.12

- Additional Overview & Scrutiny Committee meeting to be scheduled for 3 December 2012
 - Overview & Scrutiny Committee meeting scheduled for 28 January 2013 to be cancelled.
 - Licensing & Enforcement Committee meeting scheduled for 18 December to be swapped with the Standards Committee meeting scheduled for 11 December 2012.
- (4) Future programmes of meetings be prepared annually to cover the proceeding 18-month period.
- (5) The proposed changes to the respective start times for Annual Council and Budget Council be approved and take immediate effect.

79. QUESTIONS BY MEMBERS (COUNCIL PROCEDURE RULE 12)

(a) Written questions to Cabinet Members

79a.1 There were no written questions.

(b) Leader and Cabinet Members' Question Time

- 79b.1 Councillor Hilton asked the Cabinet Member for Environment whether he still felt that the Council had done enough to tackle to the mess caused by pigeons under the London Road Bridge.
- 79b.2 Councillor Morgan replied that the cleaning regime had been reviewed and increased, but that responsibility ultimately rested with Network Rail who owned the bridge. The Council had begun enforcement action against Network Rail to compel them to carry out preventative work.
- 79b.3 Councillor Hilton asked the Cabinet Member if he agreed that it would be cheaper for the Council to carry out the work itself instead of pursuing the matter through the courts.
- 79b.4 Councillor Morgan advised that it was hoped Network Rail would act before the matter progressed too far and that the cost of court action would be considered should it prove necessary.
- 79b.5 Councillor Hilton asked the Leader of the Council and Cabinet Member for Regeneration & Culture whether the Council would open negotiations with Redrow Homes about the possibility of leasing or buying the sports ground at Estcourt Road to open it up for use.
- 79b.6 Councillor James advised that the Council was keen to provide sports fields for use. Officers were in contact with Redrow Homes and he was receiving regular briefings on the matter.
- 79b.7 Councillor Hilton asked the Leader of the Council whether the Council would oppose any attempts to circumvent the designation of the site as 'private playing fields'.

COUNCIL
19.01.12

- 79b.8 Councillor James advised that he was aware of the planning designation, but could not comment further.
- 79b.9 Councillor Haigh asked the Leader of the Council and Cabinet Member for Regeneration & Culture what the drop in parking fees, proposed as part of the Budget for 2012-12, would cost.
- 79b.10 Councillor James advised that the proposals had not yet been finalised and were still being informed by the consultation. He stated that the intention was to make parking better value for money and that feedback had been positive.
- 79b.11 Councillor Haigh asked the Leader of the Council which frontline jobs and services would be cut in order to pay for the proposals and what value was placed on the consultation if the decision had already been made.
- 79b.12 Councillor James reiterated that the proposals were still being worked on. He acknowledged that the proposals would have an impact, but that they were necessary to support traders and retailers.
- 79b.13 Councillor McLellan asked the Leader of the Council & Cabinet Member for Regeneration & Culture whether any discussions had taken place with Gloucestershire County Cricket Club about the possibility of relocating to the City.
- 79b.14 Councillor James reported that the Chief Executive had contacted the Cricket Club and advised of the Council's willingness to help find them a solution.
- 79b.15 Councillor McLellan asked the Leader of the Council whether he would consider setting up a Working Group on the matter.
- 79b.16 Councillor James stated that he would be happy to consider the proposal if discussions progressed.
- 79b.17 Councillor Field asked the Cabinet Member for Environment whether an incidence of graffiti in his ward, Kingsholm and Wotton, at Sebert Street would be removed in 2012.
- 79b.18 Councillor Morgan reported that that the Council was still working on persuading the landowner to carry out the work and that he would ask officers to provide an update.
- 79b.19 Councillor Wood asked the Cabinet Member for Environment if he agreed that residents should be consulted on the flood risk management scheme designed for Daniels Brook by the Environment Agency.
- 79b.20 Councillor Morgan acknowledged the concerns raised in relation to the removal of trees and explained that pressure from residents and the Council had resulted in a long-term scheme that would provide protection for many years. Consultation on the proposals had been extensive and, while a number of trees would be affected, the needs of people had to take precedence. He praised the Environment Agency

COUNCIL
19.01.12

and added that the Council would ensure that plans for re-planting trees were implemented.

- 79b.21 Councillor Dallimore asked the Leader of the Council and Cabinet Member for Regeneration & Culture for an update on plans for Gloucester Carnival 2012.
- 79b.22 Councillor James reported that a meeting had taken place and that progress had been made on the theme, the route and the date, but that it was too early to make any announcements.
- 79b.23 Councillor Gravells asked the Leader of the Council and Cabinet Member for Regeneration & Culture for an update on potential uses of the disused St Nicholas' Church on Westgate Street.
- 79b.24 Councillor James advised that meetings had taken place with the Churches Conservation Trust, who were open to considering proposed uses for the church and invited Members to make suggestions.
- 79b.25 Councillor C Witts asked the Leader of the Council and Cabinet Member for Regeneration & Culture for an update of the application for Lord Mayor status.
- 79b.26 Councillor James reported that the bid had been submitted and the Council was awaiting the outcome.
- 79b.27 Councillor Brown asked the Leader of the Council and Cabinet Member for Regeneration & Culture if he was aware and supportive of the Gloucester Drama Association's (GDA) Gloucester Mystery Plays initiative.
- 79b.28 Councillor James advised that he was aware of the initiative and that the Director of Regeneration was in contact with GDA to further explore the potential for working together.
- 79b.29 Councillor Mozol asked the Leader of the Council and Cabinet Member for Regeneration & Culture to look into a matter concerning Ye Olde Fish and Chip Shoppe.
- 79b.30 Councillor James advised that he would ask officers to provide a briefing on the matter.
- 79b.31 Councillor Hilton asked the Leader of the Council and Cabinet Member for Regeneration & Culture whether, in light of the recent approval of a planning application from Tesco, he was aware of any plans by Tesco to cancel their 'Extra' building programme.
- 79b.32 Councillor James advised that he was not aware of any changes to Tesco's intentions.
- 79b.33 The Sheriff asked the Leader of the Council and Cabinet Member for Regeneration & Culture whether provision would soon be made in Gloucester Park for a permanent outlet selling refreshments.

COUNCIL
19.01.12

79b.34 Councillor James reported that officers across the Council were working on delivering such a project and that expressions of interest would be sought with the hope of finding a suitable tenant.

80. NOTICES OF MOTION

(a) Notice of Motion from the Labour Group

80a.1 Moved by Councillor Haigh and seconded by Councillor Smith:

“This Council notes that there is over £50m in the European Regional Development Fund for the South West as yet unallocated. Previously these funds would have been applied for through SWRDA but as that body has been abolished there is no mechanism available to allocate these funds to support jobs and growth.

This Council resolves that the Leader of the Council write to the Minister at BIS to request that a mechanism is put in place so that regeneration projects in Gloucester can apply for funding. If the funding is unallocated it will be lost to the region.”

80a.2 Councillor Hilton moved an amendment, which was seconded by Councillor Field and accepted by Councillor Haigh.

80a.3 The following motion as amended was put to the vote:

“This Council notes that there is over £50m in the European Regional Development Fund for the South West as yet unallocated. Previously these funds would have been applied for through SWRDA but as that body has been abolished, **it is unclear how the new** ~~there is no~~ **will** available to allocate these funds to support jobs and growth.

This Council resolves that ~~the Group Leaders of the Council write to the Minister at BIS and the new head of competitiveness funding for the South West, Eifion Jones to request that a mechanism is put in place so that regeneration projects in Gloucester can apply for funding. If the funding is unallocated it will be lost to the region~~ **for information on how Gloucester could make applications for the remaining pot of money in the ERDF.**

This Council also resolves to work closely in partnership with the Gloucestershire Local Enterprise Partnership to secure as much funding for Gloucester as is possible.”

80a.4 The motion was carried.

(b) Notice of Motion from the Liberal Democrat Group

80b.1 Moved by Councillor Field and seconded by Councillor Hilton:

“This Council:

Notes the recent national campaign on Channel 4 to highlight the problem of empty homes in this country, and also the recent piece in the Citizen which stated that 'In

**COUNCIL
19.01.12**

Gloucester there are 1,777 empty properties, both private and social housing – 756 of which have not been lived in for more than six months'.

Notes these figures with concern, especially the 756 properties which have not been lived in for more than six months.

Calls on the Cabinet Member for Housing and the Conservative administration to do more to address this problem, and deliver more effectively against the Empty Homes Strategy adopted by this Council.”

80b.2 The motion was put to the vote and was lost.

Time of commencement: 19:00 hours

Time of conclusion: 21:10 hours

Chair