



Herbert Warehouse
The Docks
Gloucester
GL1 2EQ

Wednesday, 17 September 2014

TO EACH MEMBER OF GLOUCESTER CITY COUNCIL

Dear Councillor

You are hereby summoned to attend a **MEETING OF THE COUNCIL** of the **CITY OF GLOUCESTER** to be held at the Civic Suite, North Warehouse, The Docks, Gloucester, GL1 2EP on **Thursday, 25th September 2014** at **19:00** hours for the purpose of transacting the following business:

AGENDA

1. APOLOGIES

To receive any apologies for absence.

2. MINUTES (Pages 9 - 22)

To approve as a correct record the minutes of the following Council meetings:

- Ordinary Meeting held on 17 July 2014
- Special Meeting held on 14 August 2014

3. DECLARATIONS OF INTEREST

To receive from Members, declarations of the existence of any disclosable pecuniary, or non-pecuniary, interests and the nature of those interests in relation to any agenda item. Please see Agenda Notes.

4. PUBLIC QUESTION TIME (15 MINUTES)

The opportunity is given to members of the public to put questions to Cabinet Members or Committee Chairs provided that a question does not relate to:

- Matters which are the subject of current or pending legal proceedings or
- Matters relating to employees or former employees of the Council or comments in respect of individual Council Officers.

5. **PETITIONS AND DEPUTATIONS (15 MINUTES)**

A period not exceeding three minutes is allowed for the presentation of a petition or deputation provided that no such petition is in relation to:

- Matters relating to individual Council Officers, or
- Matters relating to current or pending legal proceedings

6. **ANNOUNCEMENTS (COUNCIL PROCEDURE RULE 2(VII))**

To receive announcements from:

- a) The Mayor
- b) Leader of the Council
- c) Members of the Cabinet
- d) Chair of Overview and Scrutiny Committee
- e) Head of Paid Service

ISSUES FOR DECISION BY COUNCIL

7. **SUSPENSION OF COUNCIL PROCEDURE RULES**

To waive Council Procedure Rules to allow the relevant officers to address the Council in respect of item 8 (Housing Futures – Outcome of Tenant Ballot on Housing Transfer) on the agenda.

8. **HOUSING FUTURES - OUTCOME OF TENANT BALLOT ON HOUSING TRANSFER**

To consider the report of the Cabinet Member for Housing, Health and Leisure concerning the outcome of the tenant ballot on the housing transfer (to follow).

Please note: This report will be published as a separate supplement to the agenda when it is available.

9. **COUNCIL PLAN ACHIEVEMENTS 2011-14**

To consider the report of the Leader of the Council concerning achievements against the Council Plan 2011-2014 (to follow).

Please note: This report will be published as a separate supplement to the agenda when it is available.

10. **COMPLAINTS POLICY (Pages 23 - 46)**

To consider the report of the Cabinet Member for Communities and Neighbourhoods concerning the Corporate Complaints Policy.

11. **REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) SIX MONTHLY REPORT (Pages 47 - 48)**

To consider the report of the Cabinet Member for Performance and Resources concerning the six monthly report on the use of RIPA powers.

12. **BOUNDARY REVIEW - PROPOSED WARDING PATTERNS (Pages 49 - 56)**

To consider the report of the Head of Legal and Policy Development concerning proposals on warding patterns for submission to the Local Government Boundary Commission for England (LGBCE).

13. **QUESTIONS BY MEMBERS (COUNCIL PROCEDURE RULE 12) (Pages 57 - 60)**

a) Written questions to Cabinet Members

Written questions and answers. Only one supplementary question is allowed per question.

b) Leader and Cabinet Members' Question Time (45 minutes)

Any member of the Council may ask the Leader of the Council or any Cabinet Member any question without prior notice, upon:

- Any matter relating to the Council's administration
- Any matter relating to any report of the Cabinet appearing on the Council's summons
- A matter coming within their portfolio of responsibilities

Only one supplementary question is allowed per question.

c) Questions to Chairs of Meetings (15 Minutes)

MOTIONS FROM MEMBERS

14. **NOTICES OF MOTION**

(1) MOVED BY COUNCILLOR HOBBS

"Next year this City is host for the rugby world cup. We therefore must turn our attention to preparing this City in a number of ways for these events, but more importantly we must ensure this City and its key routes to and from the rugby ground are maintained to a high standard.

This Council therefore requests that the Cabinet Member for Street Care:

- 1) Draw up and implement plans for deep cleaning of all routes to and from the Rugby ground from our transport hubs.
- 2) Work with partners to ensure facilities, hedges and house frontages are to a high standard during the events."

(2) MOVED BY COUNCILLOR HAIGH

“Following the result of the Scottish Independence Referendum there is the question of what this means for England. England is the most centralised Country within the UK and that is not healthy for local economies and prosperity. The Core Cities (eg Manchester and Birmingham) have stated their intent to seek more powers and control of their own resources to build powerful local economies. For Gloucester, we must find ways of working with our neighbours to bring the same benefits of such devolution and cooperation to our own residents whilst at the same time retaining what is distinctive and important to our City.

Local Councils are far more trusted than Central Government, we live and work in the places we represent, from the supermarket to the doorstep we meet our constituents every day.

This Council asks the Leader to talk to other Districts and the County Council and to establish a cross party and cross authority Leaders summit to discuss what this means for Gloucester and how we can secure the benefits of devolution within England.”

(3) MOVED BY COUNCILLOR CHATTERTON

“This Council believes that the experimental Shared Space at Kimbrose Triangle has not proved successful and presents a danger to pedestrians and motorists alike, and resolves to make a submission to the current consultation being carried by Gloucestershire County Council urging the reinstatement of a pedestrian crossing.”

15. EXCLUSION OF PRESS AND PUBLIC

To resolve:-

“That the press and public be excluded from the meeting during the following item of business on the grounds that it is likely, in view of the nature of business to be transacted or the nature of the proceedings, that if members of the press and public are present during consideration of this item there will be disclosure to them of exempt information as defined in Schedule 12A of the Local Government Act 1972 as amended”.

Agenda Item No.

Description of Exempt Information

16

Paragraph 1: information relating to any individual;

Paragraph 3: information relating to the financial or business affairs of any particular person (including the Authority holding that information).

Paragraph 5: information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

16. **EXEMPT MINUTES (Pages 61 - 66)**

To approve as a correct record the exempt minutes of the meeting held on 17 July 2014.

Yours sincerely



.....
Martin Shields
Corporate Director of Services and Neighbourhoods

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.

Access to Information

Agendas and reports can be viewed on the Gloucester City Council website: www.gloucester.gov.uk and are available to view five working days prior to the meeting date.

For further details and enquiries about this meeting please contact Tanya Davies, 01452 396125, 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.

If you, or someone you know cannot understand English and need help with this information, or if you would like a large print, Braille, or audio version of this information please call 01452 396396.

Recording of meetings

Please be aware that meetings may be recorded with the Mayor or Chair's consent and this may include recording of persons seated in the Public Gallery or speaking at the meeting. Please notify a City Council Officer if you have any objections to this practice and the Mayor/Chair will take reasonable steps to ensure that any request not to be recorded is complied with.

Any recording must take place in such a way as to ensure that the view of Councillors, Officers, the Public and Press is not obstructed. The use of flash photography and/or additional lighting will not be allowed unless this has been discussed and agreed in advance of the meeting.

FIRE / EMERGENCY EVACUATION PROCEDURE

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:

- 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.



COUNCIL

MEETING : Thursday, 17th July 2014

PRESENT : Cllrs. Llewellyn (Mayor), Noakes (Sheriff & Deputy Mayor), James, Dallimore, Norman, Organ, Porter, Haigh, Hilton, Gravells, Tracey, McLellan, Lugg, C. Witts, Hanman, Lewis, Wilson, Ravenhill, S. Witts, Field, Williams, Brown, Dee, Taylor, Beeley, Hansdot, Gilson, Patel, Randle, Toleman and Chatterton

Others in Attendance

Martin Shields, Corporate Director of Services and Neighbourhoods
Sue Mullins, Head of Legal and Policy Development
Anthony Hodge, Regeneration and Economic Development,
Gloucester City Council
Philip Ardley, Asset Management Consultant
Tanya Davies, Democratic and Electoral Services Manager

APOLOGIES : Cllrs. Smith, Hobbs, Bhaimia, Mozol and Pullen

19. MINUTES

19.1 **RESOLVED** – That the minutes of the Council meeting held on 9 June 2014 be approved and signed by the Mayor as a correct record.

20. DECLARATIONS OF INTEREST

20.1 Councillors Hilton, Lugg and Taylor declared an interest in Agenda Item 16 (Minutes Item 33), a report of the Corporate Director of Services and Neighbourhoods concerning a review of governance arrangements for Gloucestershire Airport Limited, as they were each members of the Airport Board of Directors, and advised that they would withdraw from the meeting during the debate and vote on the item.

21. PUBLIC QUESTION TIME (15 MINUTES)

21.1 There were no public questions.

22. PETITIONS AND DEPUTATIONS (15 MINUTES)

22.1 There were no petitions or deputations.

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

Mayor

- 23.1 The Mayor advised that Gloucester Carnival would take place on 26 July 2014 and that Members should contact Councillor Randle if they wished to be involved in the Council's float.
- 23.2 The Mayor announced that she and the Sheriff would be organising a 'Ready, Steady, Cook!' event later in the year in aid of the Civic charities.
- 23.3 The Mayor welcomed the extensive programme of events taking place across the City over the summer and encouraged Members and members of the public to attend as many events as possible.

Head of Paid Service

- 23.4 The Head of Paid Service advised that Gloucester City Homes was seeking a Member to sit on an Evictions Appeal Panel on 25 July 2014 and asked Members to contact Democratic Services if they were able to assist.
- 23.5 The Head of Paid Service announced that the Local Government Boundary Commission for England had accepted the Council's proposal to increase the size of the Council from 36 to 39 elected Members. He outlined the next stage of the electoral boundary review process, which would involve a consultation on warding arrangements.

24. SUSPENSION OF COUNCIL PROCEDURE RULES

- 24.1 Moved by Councillor James (Leader of the Council and Cabinet Member for Regeneration and Culture) and seconded by Councillor Dallimore (Deputy Leader of the Council and Cabinet Member for Communities and Neighbourhoods) –
- 24.2 **RESOLVED** - That Council Procedure Rules be suspended to allow the relevant officers to address the Council in respect of agenda items 15 (Retail-led Regeneration at Kings Quarter), 16 (Review of Governance Arrangements for Gloucestershire Airport Limited) and 17 (Use of Special Urgency Provisions).

25. COUNCIL PLAN 2014-2017

- 25.1 The Council considered a report of the Leader of the Council and the Cabinet Member for Performance and Resources concerning the Council Plan 2014-17.
- 25.2 Councillor James moved the recommendation set out in the report and reported that formulation of the Council Plan had been an extensive process involving significant consultation with Members and officers. He explained the Plan reflected the Council's long-term ambitions, with a strong focus on the economy and regeneration, and the needs of the City and its residents.
- 25.3 Councillor Norman (Cabinet Member for Performance and Resources) seconded the motion.

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- 25.4 Councillor Hilton (Leader of the Liberal Democrat Group) welcomed the inclusion of working groups on enhancing the role of the Cathedral and sources of revenue, but noted that the Plan did not refer to proposals for new public conveniences or free wifi in the City centre. He stated that he was supportive of much of the content of the Plan, but advised that the Liberal Democrat Group would abstain during the vote in order to be able to hold the Administration to account when considering progress against the measures outlined in the Plan. He noted that he found the document difficult to read in the format in which it was presented.
- 25.5 Councillor Haigh (Leader of the Labour Group) echoed comments made in relation to the format and accessibility of the document.
- 25.6 Councillor Norman welcomed the Plan and stated that it compared favourably with equivalent documents from other local authorities.
- 25.7 Councillor James undertook to ensure that the final version of the Plan was complied with accessibility requirements. He explained that it was not possible to include every commitment within the published Plan, but that all Council resolutions would be abided by.
- 25.8 **RESOLVED** - that the final draft of the Council Plan for 2014-17 be approved and adopted.
- 26. ADOPTION OF THE DRAFT SEX ESTABLISHMENTS POLICY STATEMENT FOLLOWING CONSULTATION**
- 26.1 The Council considered a report of the Chair of the Licensing and Enforcement Committee concerning the result of the consultation on the draft revised Sex Establishments Policy Statement and seeking approval of the final version.
- 26.2 Councillor Randle (Chair of the Licensing and Enforcement Committee) moved the recommendation set out in the report and advised that the revised Policy Statement had been accepted by the Licensing and Enforcement Committee and would be reviewed every five years.
- 26.3 Councillor Dallimore seconded the motion.
- 26.4 **RESOLVED** – That the revised Sex Establishments Policy Statement be noted, approved and adopted, to take immediate effect.
- 27. AUDIT COMMITTEE ANNUAL REPORT 2013-14**
- 27.1 The Council considered a report of the Chair of the Audit and Governance Committee concerning the Audit and Governance Annual Report 2013-14.
- 27.2 Councillor Wilson (Chair of the Audit and Governance Committee) moved the recommendation set out in the report.
- 27.3 Councillor Haigh seconded the motion.

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27.4 **RESOLVED** – That the Annual Report of the Audit and Governance Committee 2013/14 be approved.

28. OVERVIEW AND SCRUTINY COMMITTEE ANNUAL REPORT 2013-14

28.1 The Council considered a report of the Chair of the Overview and Scrutiny Committee concerning the Overview and Scrutiny Committee Annual Report 2013-14.

28.2 Councillor Lugg (Chair of the Overview and Scrutiny Committee) moved the recommendation set out in the report and explained that the Committee had engaged in more pre-scrutiny than ever before.

28.3 Councillor S. Witts seconded the motion.

28.4 Councillor Tracey asked of clarification of the aims of the 'Love Food, Hate Waste' campaign and encouraged Members to build on the recommendations of the Evening Economy Task and Finish Group by supporting the City's bars, restaurants and evening attractions.

28.5 Councillor Haigh explained that 'Love Food, Hate Waste' was a national campaign about discouraging waste and educating people via nationally available materials.

28.6 Councillor Hilton praised the Committee's response to the call in of the decision on the release of covenants for Llanthony Secunda Priory, which resulted in the review of the decision and the appropriate result being achieved for the Council.

28.7 Councillor Field (Deputy Leader of the Liberal Democrat Group) commended the work of the Task and Finish Groups and stated that he hoped the Cabinet would progress implementation of agreed recommendations.

28.8 Councillor Lugg reported that the Committee would shortly begin work on two new Task and Finish Groups concerning private rented sector housing and the management of unadopted parcels of green land.

28.9 **RESOLVED** – That the Overview & Scrutiny Committee Annual Report 2013-14 be noted.

29. QUESTIONS BY MEMBERS (COUNCIL PROCEDURE RULE 12)

(a) Written Question to Councillors

29a.1 As a supplementary to her written questions, Councillor Haigh asked the Cabinet Member for Performance and Resources to explain why staff employed on zero hours contracts were not paid a Living Wage despite the Council's commitment to pay all staff a Living Wage, and what he was going to do to rectify the situation.

29a.2 Councillor Norman explained that all staff on the establishment were paid a Living Wage, but that staff on zero hours contracts were not on the establishment. He undertook to report back to Council following discussions with officers.

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29a.3 **RESOLVED** – That the written questions submitted and corresponding responses be noted.

(b) Leader and Cabinet Members' Question Time

29b.1 Councillor Haigh asked the Leader of the Council if he agreed that the City MP, Richard Graham, should spend more time in the City so that he could appreciate that Gloucester was not a small City.

29b.2 Councillor James stated that Gloucester was a small City in comparison to some others, but that it was a young and growing City. He advised that both the Council and the City MP were ambitious for the City and were working together for the good of the City.

29b.3 Councillor Hilton asked the Leader of the Council if he supported Gloucestershire County Council's efforts to lobby the Secretary of State for Transport to build a dual carriageway between Brockworth and the Cowley roundabout to ease traffic congestion and tackle safety concerns.

29b.4 Councillor James confirmed that the Council had already signed up to support the campaign and would work with the County Council for the good of the City.

29b.5 Councillor Hilton asked the Leader to agree for a cross-party letter of support to be submitted to the Secretary of State.

29b.6 Councillor James agreed for a letter to be submitted and stated that improved transport links were important for both safety reasons and for the good of the City, and the County's, economies.

29b.7 Councillor Haigh asked the Cabinet Member for Housing, Health and Leisure if he had any response to the Deputy Prime Minister's recent comments regarding the under occupancy charge for council and housing association tenants.

29b.8 Councillor Organ explained that the measures were not a tax and were designed to encourage movement within the sector to support those on the waiting list and that there was no obligation on tenants to move. He stated that the measures were in the early stages of implementation and would be carefully monitored.

29b.9 Councillor Hilton asked the Leader of the Council if he welcomed the drop in unemployment in the Cit for the fourth consecutive month.

29b.10 Councillor James stated that he was pleased to see a sustained downward trend in unemployment, which demonstrated confidence in the City's economy.

29b.11 Councillor Chatterton asked the Cabinet Member for Regeneration and Culture if he would undertake to ensure that preview evenings for exhibitions in the City take place far enough in advance in order that events can be properly promoted, in light of the timing of the preview event for the recent Tudor Faces exhibition.

29b.12 Councillor James undertook to feed the comments back to the relevant officers.

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- 29b.13 Councillor Toleman asked the Leader of the Council if he welcomed the significant funding awarded to the City as part of the Gloucestershire Growth Deal.
- 29b.14 Councillor James stated that he welcomed the funding and looked forward to seeing the detail of the allocation. He noted funding for the new bus station and for a Growth Hub to support new business start ups and congratulated the Strategic Economic Partnership in securing funding for everything identified in the Strategic Economic Plan.
- 29b.15 Councillor Field asked the Leader of the Council what steps he was taking to ensure that residents and visitors to the City were not harassed by charity collectors or 'chuggers'.
- 29b.16 Councillor James explained that there was a site licensing agreement in place limiting the location and number of chuggers and stated that stronger enforcement would take place following the appointment of a new City Centre Manager. He reported that Council was seeking public opinion on the current terms of the site licensing agreement and would consider further restrictions if such action was favoured.
- 29b.17 Councillor Field asked the Cabinet Member would consider trialling an outright ban on chuggers to see what difference it made.
- 29b.18 Councillor James stated that, while he would not rule out an outright ban on chuggers, he did not wish to prejudice the outcome of the public survey.
- 29b.19 Councillor Lugg asked the Cabinet Member for Communities and Neighbourhoods to review the policy in respect of community rights to bid for assets of community value in light of recent issues in relation to a community bid for an asset in Matson and Robinswood Ward where Ward Councillors were not properly informed throughout the process and it was not made clear what information was required from bidders, resulting in a community bid being rejected.
- 29b.20 Councillor Dallimore stated that the policy dictated that Ward Councillors be informed at specific stages of the process and undertook to ensure that the policy was implemented properly.
- 29b.21 The Head of Legal and Policy Development advised that the policy was under review and that considerations of any oversights that had occurred would be built into the review process.
- 29b.22 Councillor Haigh asked the Cabinet Member for Communities and Neighbourhoods if she would support the campaign to reduce the stake for fixed lot betting terminals to £2, given the effect gambling could have on the City's communities, and write to the Secretary of State for Culture, Media and Sport to confirm her support.

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- 29b.23 Councillor Dallimore stated that, although she was not aware of any significant problem in relation to fixed lot betting terminals in the City, she would consider the campaign and take any action that she deemed necessary.
- 29b.24 Councillor Wilson asked the Leader of the Council what steps would be taken to obtain a better response to the consultation on the City's electoral boundaries than was received to the consultation on the Council's electoral arrangements.
- 29b.25 Councillor James stated that, although he was not a member, he was confident that the Boundary Review Working Group would take the necessary steps to ensure that the consultation was widely advertised.
- 29b.26 Councillor Randle asked the Cabinet Member for Communities and Neighbourhoods whether she welcomed the formation of new community groups within the City.
- 29b.27 Councillor Dallimore praised the City's community groups and reported that more and more applications for Community Grants were being received from new organisations. She also noted the establishment of the Members Allocation Fund and encouraged Members to make use of the funding available.
- 29b.28 Councillor Patel asked the Cabinet Member for Communities and Neighbourhoods whether she agreed that the Beach Party organised by One Church was a fantastic event and whether she welcomed the wide range of events organised by the City's community groups.
- 29b.29 Councillor Dallimore commended the organisers of the Beach Party and welcomed the growth of such events across the City.
- 29b.30 Councillor Hilton asked the Cabinet Member for Environment to give an assurance that street cleaning performance in the autumn would be better than in previous years.
- 29b.31 Councillor Porter advised that he had commenced discussions with Amey regarding collecting dropped leaves in the autumn and gave an assurance that the Council would be better prepared to deal with issues as they arose.
- 29b.32 Councillor Tracey asked the Cabinet Member for Environment to look into the problem of road sweepers not being able to clear leaves from the roads in Kingsholm and Wotton Ward due to parked cars causing an obstruction.
- 29b.33 Councillor Porter advised that he had discussed the matter with Amey, but that it was difficult to find a solution because they were unable to force residents to move their cars. Amey would continue to work around the parked as best they could.
- 29b.34 Councillor S. Witts asked the Cabinet Member for Environment what arrangements were in place for Amey staff required to work outside for long periods of time in hot weather.

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- 29b.35 Councillor Porter advised that all Amey staff were duty bound to consider their own health and safety. He confirmed that Amey provided suitable equipment and clothing for outside work in cold and inclement weather and undertook to find out what provisions were made in hot weather.
- 29b.36 Councillor Patel asked the Cabinet Member for Performance and Resources if he agreed that the Council was to be commended for employing 16 apprentices, providing excellent opportunities for young people and paying them above the national minimum wage.
- 29b.37 Councillor Norman agreed that the Council was to be commended for its approach to apprenticeships and that he hoped the scheme would be expanded in the future.
- 29b.38 Councillor Lugg asked the Cabinet Member for Performance and Resources whether zero hours staff were covered by the Council's insurance.
- 29b.39 Councillor Norman confirmed that zero hours staff were covered by the Council's insurance.
- 29b.40 Councillor Tracey asked the Leader of the Council if he would look into the issue of how Council regalia was displayed in the Council Chamber.
- 29b.41 Councillor James advised that the current Mayor and Sheriff would be meeting with Museums staff to discuss the display cabinets during the following week.
- 29b.42 Councillor Dee asked the Leader of the Council if he agreed that the Joint Core Strategy (JCS) was of great significance and that the officers responsible for working on it deserved praise in light of the work being commended by Central Government.
- 29b.43 Councillor James stated that he agreed with Councillor Dee and commended both the submission document and the work carried out by the officers. He noted that the document had been the subject of significant debate and that a good degree of consensus had been achieved. He also thanked Councillor Dee for his involvement in the JCS.

30. NOTICES OF MOTION

(1) Notice of Motion from the Liberal Democrat Group

- 30.1 Moved by Councillor McLellan and seconded by Councillor S. Witts:

“This council agrees with Simon Stevens, the Chief Executive of the NHS that smaller community hospitals should play a bigger role especially in the care of older patients.

This council further believes that there is an urgent need for a community hospital in Gloucester and will write to the Chairs of the Gloucestershire Clinical Commissioning Trust and the Gloucestershire Care Trust to seek their support in establishing a community hospital in Gloucester.”

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30.2 Councillor Organ moved an amendment, which was seconded by Councillor Randle.

30.3 Councillor McLellan accepted the amendment:

“This council agrees with Simon Stevens, the Chief Executive of the NHS that smaller community hospitals should play a bigger role especially in the care of older patients.

This council further believes that there is an urgent need for a community hospital in Gloucester and will write to the Chairs of the Gloucestershire Clinical Commissioning Trust and the Gloucestershire Care Trust to seek their support in establishing **the need for** a community hospital in Gloucester.”

30.4 The motion, as amended, was put to the vote and was carried.

31. EXCLUSION OF PRESS AND PUBLIC

31.1 Moved by Councillor James and seconded by Councillor Dallimore –

31.2 **RESOLVED** that the press and public be excluded from the meeting during the following item of business on the grounds that it is likely, in view of the nature of business to be transacted or the nature of the proceedings, that if members of the press and public are present during consideration of these items there will be disclosure to them of exempt information as defined in Schedule 12A of the Local Government Act 1972 as amended.

Minute No.	Description of Exempt Information
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32	Paragraph 3: information relating to the financial or business affairs of any particular person (including the Authority holding that information).
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33	Paragraph 1: information relating to any individual;
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and

	Paragraph 3: information relating to the financial or business affairs of any particular person (including the Authority holding that information).
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34	Paragraph 5: information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
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32. RETAIL DEVELOPMENT AT KINGS QUARTER

32.1 The Council considered a report of the Cabinet Member for Regeneration and Culture concerning retail-led regeneration at Kings Quarter.

32.2 Councillor James moved the recommendation set out in the report.

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32.3 Councillor Dallimore seconded the motion.

32.4 **RESOLVED** – That the recommendations detailed in the exempt report be approved.

33. REVIEW OF GOVERNANCE ARRANGEMENTS FOR GLOUCESTERSHIRE AIRPORT LIMITED

Note: Councillors Hilton, Lugg and Taylor withdrew from the Chamber and did not take part on the debate or vote on this item.

33.1 The Council considered a report of the Corporate Director of Services and Neighbourhoods concerning a review of governance arrangements for Gloucestershire Airport Limited.

33.2 Councillor James moved the recommendation set out in the report.

33.3 Councillor Porter seconded the motion.

33.4 **RESOLVED** – That the recommendations detailed in the exempt report be approved.

Note: Councillors Hilton, Lugg and Taylor re-entered the Chamber following the vote.

34. USE OF SPECIAL URGENCY PROVISIONS

34.1 The Council considered a report of the Leader of the Council concerning the use of Special Urgency provisions.

34.2 Councillor James moved the recommendation set out in the report.

34.3 Councillor Dallimore seconded the motion.

34.4 **RESOLVED** – That the recommendations detailed in the exempt report be approved.

Time of commencement: 19:00 hours

Time of conclusion: 21:45 hours

Chair



COUNCIL

MEETING : Thursday, 14th August 2014

PRESENT : Cllrs. Llewellyn (Mayor), Noakes (Sheriff & Deputy Mayor), James, Dallimore, Norman, Organ, Porter, Haigh, Hilton, Gravells, Tracey, McLellan, Smith, Hobbs, Lugg, C. Witts, Hanman, Ravenhill, Field, Williams, Brown, Dee, Taylor, Hansdot, Gilson, Mozol, Patel, Randle, Toleman, Chatterton and Pullen

Others in Attendance

Martin Shields, Corporate Director of Services and Neighbourhoods

Tanya Davies, Democratic and Electoral Services Manager

Parvati Diyar, Democratic Services Officer

Tony Wisdom, Democratic Services Officer

APOLOGIES : Cllrs. Lewis, Wilson, Bhaimia, S. Witts and Beeley

35. DECLARATIONS OF INTEREST

35.1 Councillors Hansdot, Lugg, Randle and Toleman declared a prejudicial interest in agenda item 4, Housing Futures – Outcome of Formal Consultation on Housing Transfer as Board Members of Gloucester City Homes. They retired to the public gallery for this item.

35.2 Councillor Smith declared a personal non-prejudicial interest in respect of her daughter's employment with Gloucester City Homes.

36. SUSPENSION OF COUNCIL PROCEDURE RULES

36.1 Moved by Councillor James (Leader of the Council and Cabinet Member for Regeneration and Culture) and seconded by Councillor Dallimore (Deputy Leader of the Council and Cabinet Member for Communities and Neighbourhoods) –

36.2 **RESOLVED** - That Council Procedure Rules be suspended to allow the relevant officers to address the Council in respect of agenda item 4 (Housing – Outcome of Formal Consultation on Housing Transfer).

COUNCIL
14.08.14

37. HOUSING FUTURES - OUTCOME OF FORMAL CONSULTATION ON HOUSING TRANSFER

- 37.1 Councillors Hansdot, Lugg, Randle and Toleman having declared a prejudicial interest in this matter as Board Members of Gloucester City Homes retired to the public gallery for this item.
- 37.2 Councillor Organ, Cabinet Member for Housing, Health and Leisure presented the report and addenda which requested Council to consider, pursuant to its duties under Schedule 3a of the Housing Act 1985, representations made during the Stage 1 consultation and whether any changes should be made to the Council's offer, and to consider whether to proceed to the formal Stage 2 of the consultation process, balloting the Council's secure and introductory tenants and testing the opinion of leaseholders and shared-owners.
- 37.3 He noted that the report represented a critical point in the transfer of the Council's housing stock which was the only way to ensure that the stock would be maintained in a good state of repair.
- 37.4 He emphasised that the Stage 1 consultation was not the formal ballot and the 4 per cent return was consistent with, if not higher than, that experienced with other recent Arm's Length Management Organisation transfers.
- 37.5 He stated that acceptance of the recommendations in the report would allow the Council to move to an independently conducted ballot of the tenants over a four week period.
- 37.6 He advised Members that should a majority of the Council's tenants vote in favour of the transfer, the Government would help with repayment of the historic debt. If the transfer did not proceed substantial cuts in the service would have to be made and the stock would fall into disrepair.
- 37.7 Councillor Organ outlined the recommendations in the report and moved their acceptance. Councillor James, Leader of the Council, seconded the motion.
- 37.8 Councillor Hilton supported the recommendation and asked when the ballot would be held. He referred to paragraphs 7.7 and 7.8 of the report and expressed some concern regarding the potential land transfer. He noted that there were areas of land in his ward (Kingsholm) which were regarded as public open space and he requested that each Member be supplied with a definitive map of such land within their wards and be asked to comment on the proposals.
- 37.9 Councillor Haigh supported the recommendations and encouraged the Council's tenants to become involved in the process. She believed that the tenants would be more secure if the management of their homes were to be removed from the vagaries of local government finance. She supported Councillor Hilton's concern regarding transfer of land.
- 37.10 Councillor Tracey noted the importance of the transfer and wished to be informed of any land proposed for transfer within her ward (Westgate). She believed that the interests of the Council's tenants were paramount and noted that Gloucester City

COUNCIL
14.08.14

Homes had proved itself and she thanked their Chief Executive, Ashley Green, for his efforts.

37.11 Councillor Smith had been impressed with the level of knowledge displayed by members of the Housing Futures Residents' Panel and called for them to be sent the thanks of the Council for their involvement to date.

37.12 Councillor Organ advised that the date for the ballot had not been set as dates were awaited from the Electoral Reform Society who would conduct the ballot. He noted that the transfer of land was a big issue and every Councillor should be involved as their local knowledge would be invaluable. He noted that the Land Sub-Group was in action and surveyors were measuring plots of land. He undertook to write to the members of the Housing Futures Residents' Panel.

37.13 RESOLVED –

- (1) No changes should be made to the Council's offer as contained in the Offer Document dated 7 July 2014 and that no further clarification is required.
- (2) The Council proceeds to stage 2 of the formal consultation (the tenants' ballot) and to issue a formal Stage 2 letter to the Council's secure and introductory tenants.
- (3) The Council also proceeds to a good practice Stage 2: test of opinion of leaseholders and shared owners that requests they formally express their opinion in favour or against the proposal to transfer their homes to Gloucester City Homes.
- (4) It be noted that the results of the ballot and test of opinion will be reported separately to the next meeting of the Council that follows the closing date of the ballot and test of opinion and will include recommendations about future actions and statutory notices.

Time of commencement: 18:00 hours

Time of conclusion: 18:20 hours

Chair

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Gloucester City Council

Meeting:	Cabinet	Date:	30 July 2014
	Audit & Governance Committee		8 Sept 2014
	Council		25 September 2014
Subject:	Complaints Policy		
Report Of:	Cabinet Member for Communities & Neighbourhoods		
Wards Affected:	All Wards		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Wendy Jones, Contact Centre & Customer Services Manager		
	Email: wendy.jones@gloucester.gov.uk	Tel:	396101
Appendices:	<ol style="list-style-type: none"> 1. One Stop Shop Complaints Policy 2. How to handle Complaints/Feedback (internal) 3. Complaints Process document 4. Complaint/Feedback Form 		

FOR GENERAL RELEASE

1.0 Purpose of Report

1.1 To review and approve the Corporate Complaints Policy.

2.0 Recommendations

2.1 **Cabinet** is asked to **RESOLVE** that the report be noted.

2.2 **Audit & Governance Committee** is asked to **RECOMMEND TO COUNCIL** that the Complaints Policy at Appendix 1 be approved, subject to any amendments it wishes to put forward.

2.3 **Council** is asked to **RESOLVE** that, subject to any amendments, the Complaints Policy at Appendix 1, be approved.

3.0 Background and Key Issues

3.1 The Complaints Process was rewritten and approved by Cabinet in November 2010.

- 3.2 A new complaints form and a process document were produced and made available to customers in our receptions. A copy of the process is available for download from the web site along with an on-line complaints form.
- 3.3 The complaints process document and complaints form were redesigned in 2013 to bring a fresh look and feel to the documents.
- 3.4 The implementation of our Policy Management system “NetConsent” and the introduction of a pro forma to deliver the policy to members and staff identified that the Council had not formally adopted a corporate complaints policy although a process for dealing with complaints had been approved and was being followed.
- 3.5 Following consultation with a number of Service Managers, a Complaints Policy has been written and approved by the Council’s Senior Management Team.

4.0 Alternative Options Considered

- 4.1 There were no alternatives considered for this report.

5.0 Reasons for Recommendations

- 5.1 A Corporate Complaints policy contributes to and forms part of the Council’s governance framework. An effective complaints policy can help improve service delivery and the Council’s reputation.

6.0 Future Work and Conclusions

- 6.1 Once approved the Complaints Policy and associated documents will be placed on the Council’s NetConsent system so that it can be disseminated to all staff.
- 6.2 Separate drop in training courses and attendance at team meetings will be arranged to explain the policy and associated documents and to answer any questions.
- 6.3 The policy will be reviewed every 3 years.

7.0 Financial Implications

- 7.1 There are no financial implications within this report.
(Financial Services have been consulted in the preparation this report.)

8.0 Legal Implications

- 8.1 There are no Legal implications within this report.
(Legal Services have been consulted in the preparation of this report.)

9.0 Risk & Opportunity Management Implications

9.1 If members and staff are not aware of our complaints policy and process this could have an adverse effect on the reputation of the authority.

10.0 People Impact Assessment (PIA):

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

11.0 Other Corporate Implications

11.1 Community Safety

None identified.

11.2 Sustainability

None identified

11.3 Staffing & Trade Union

None identified

Back Ground Documents - None

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Appendix 1

Complaints Policy

Applicable To	All Staff, Customers
Effective Date	May 2014
Current Policy Date	New Policy
Next Review Date	May 2017
Review Cycle	3 Years
Policy Owner Who is responsible? Name & Role	Wendy Jones Contact Centre & Customer Services Manager
Accountable Person Who is accountable? Name & Role	Martin Shields Corporate Director of Services & Neighbourhoods

Policy Introduction:

This policy covers formal Complaints to Gloucester City Council. It sets out the different stages of the complaints process, required timescales and who should be involved in handling the complaint.

The purpose of the policy is to clarify how customers can make a complaint and defines the standards they can expect. The policy seeks to create a positive approach to complaints where they are valued as a means of continuously reviewing and improving the services we offer.

What is a complaint?

A Complaint is *“An expression of dissatisfaction by a customer about the Council’s actions or lack of action and the standard of service received”*

This is where the responsibility for the action or the service provided rests with the Council or person or body acting on behalf of the Council.

The following are not covered by the Corporate Complaints policy as there are other separate points of resolution for them:

- An initial request for a service e.g. reporting non collection of waste, reporting graffiti or other street problems etc or initial reports of faults or defects unless they concern work that the council has carried out. We must have had the chance to provide the service or put something right which we can only do if we have received a request or been informed of a problem.
- A complaint against a Councillor where there is evidence that the Councillor has not followed the Council’s Code of Conduct (Part 5 of the Council Constitution). These complaints should be reported through to the Monitoring Officer for investigation and response.
- Where there is an appeals procedure within the Council or where there is a right of appeal to an independent tribunal. At Gloucester City Council this includes:
 - Benefit or Planning appeals
 - Penalty Charge Notice (PCN) appeals

How can complaints be made?

The Council encourages customers who have concerns to first speak to a member of staff in the relevant service area. If the problem can be solved on the spot then there is no need for the issue to go through the formal complaints process. However, if the complaint cannot be dealt with immediately or the customer wishes to have a formal response, we must make it easy for them to do so. We accept complaints:

- Via our website
- By telephone
- On the Council's complaints form
- By email
- By letter
- In person
- By fax

When can a complaint be made?

The Council will normally only accept complaints made within twelve months of the incident or circumstances that led to the complaint being made.

If a customer wishes to escalate a complaint to the next stage in the process, they should respond within one month of receipt of the Council's response outlining the reasons why they are not satisfied and what outcome they would like to see.

If there are exceptional circumstances provided by the complainant for the delay in submitting the complaint (e.g. illness, changes in personal circumstances etc), the relevant Director has discretion to consider accepting a late complaint providing the circumstances are evidenced.

Anonymous Complaints

We will not accept anonymous complaints.

Response timescales

Each Council service has a duty to deal with complaints. Complaints should be acknowledged verbally or in writing within 1 working day by the person receiving the complaint. The table below sets out agreed timescales and responsibility for each stage of a complaint:

Stage	Timescale	Response agreed by
Stage 1	10 working days	Service Manager (or designated representative)
Stage 2	10 working days	Senior Manager/Director
Local Government Ombudsman	25 calendar days (internal deadline)	Director

We will always try to keep to our published timescales for dealing with complaints but sometimes investigations take longer because the complaint is complex. In these cases it may be necessary to extend the timescales set out in this policy. If this is the case the complainant will be informed of the reasons why timescales cannot be met and also when they should receive a full response. Notification should be sent to the complainant at the first opportunity.

Where a complaint relates to an insurance claim, the insurance team will be notified immediately and the response dealt with through separate process.

Complaints made directly to the local government ombudsman

Complaints should not, in most circumstances, be made direct to the Local Government Ombudsman (LGO). Those complaints made direct to the LGO are known as 'premature complaints' and customers who make them are likely to be asked by the Ombudsman to follow our complaints procedure first. In a few instances the LGO has indicated they will deal directly with cases they deem to be exceptionally serious or urgent. We will be informed of these immediately and such complaints should be dealt with as appropriate to the individual circumstances of the case.

Complaints against contractors or Partner organisations

We review complaints against the Council's contractors and any organisation contracted to work for the Council. Complaints about the Council's contractors are handled under the Council's complaints procedure and can be made directly to the Council.

Complaints about funded voluntary and community organisations should be dealt with by the organisations unless the complaint concerns serious fraud, financial or governance malpractice.

Organisations funded by the council will be expected to have a complaints procedure in place that can be monitored by the council.

Confidentiality and Anonymity

Services will treat all customer information as confidential. Names and addresses will not be published or disclosed outside of the Council without prior agreement.

Customer rights

Customers have the right:

- To be treated with courtesy and respect at all times
- To have a friend or other representative help them with their complaint (a letter of authority may be required)
- To confidentiality (if an investigation cannot proceed without the complainant being identified, the complainant will be given the option whether or not to continue)
- To be kept informed of the progress of their complaint(s)
- To receive an apology if a complaint is upheld
- To be informed of action taken including any changes to Council policy or procedures arising from a complaint

Behaviour of complainants

In a minority of cases, complainants pursue their cases in a way that can impede the investigation of their complaint or have significant resource implications for the Council. We do not expect Council staff to spend time dealing with unreasonable complainants, nor do we expect staff to tolerate threatening or abusive behaviour by complainants and we will take action to protect staff from such behaviour. The Council has a separate policy for dealing with 'unreasonable behaviour'.

Related Policies and Procedures:

- Complaints Process (customer facing)
- Complaints form
- Complaints procedure (staff)
- Unreasonable Behaviour Policy

Revision History		
Version	Made By	Effective Date
1.0	Wendy Jones Customer Services Manager	
1.1		
1.2		

How to Handle Complaints/Feedback

Contents

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Introduction

The purpose of this document is to explain your responsibility for handling complaints and feedback and the internal processes you need to follow.

Gloucester City Council actively encourages all customer feedback about its services, including complaints and wants to hear from customers or their representatives about their experiences whether good or bad. This will help us to shape and improve the services we deliver.

To do this we must:

- listen carefully to people;
- take their views seriously and act on them where we can.

We need to:

- find out when things have gone well and customers are happy;
- improve our services by making the most of bright ideas or comments about our services;
- find out when things go wrong and put them right;
- learn from our mistakes and make sure they don't happen again.

All complaints, compliments and comments need to be recorded on our corporate complaints system so we can monitor how we are doing.

Definition of a Complaint

A Complaint is an expression of dissatisfaction by a customer about:-

- The Council's actions or lack of action
- The standard of service received

This is where the responsibility for the action, or the service provided, rests with the council or a person or body acting on behalf of the Council.

The following will **not** be treated as Complaints in their first instance :-

- Initial Requests for Service e.g. my bin has not been emptied, reporting graffiti, reporting overhanging vegetation.
- Initial report of faults or defects unless they concern work that the council has carried out.

We will not exclude these requests but will deal with them as normal work requests.

A repeat request (i.e. where the original request was not actioned/completed) should be treated as a complaint.

Officer Role

Any member of staff, person or body acting on behalf of the Council receiving a Complaint/Feedback needs to report this:-

- Via the web using our online "Report it" form
- By emailing the details to heretohelp@gloucester.gov.uk
- By telephoning Customer Services on ext 5319 (*This is an internal number only please do not release to customers. Customers should ring 396396*).
- Completing/arranging for customer to complete a comment form and sending through to Customer services.

The customer should be asked how they would like to receive their response e.g. letter, email, telephone or visit.

Note: Customers may ask for a different service or officer with no previous involvement with their case to investigate their complaint. This request will need to be included within the complaint so Customer Services can arrange and send to the correct officer.

Key Roles and Responsibilities

The Head of Paid Service is accountable to the Council for the Complaints system but the Customer Services Manager is responsible for monitoring the complaints process and analysing complaints for reporting purposes. Each Service Manager is responsible for ensuring the complaints process is adhered to in their service.

Customer Services will be responsible for the day-to-day administration of complaints system e.g. sending initial requests, chasing responses, producing monthly reports and monitoring complaint responses.

Each Service Manager is responsible for making sure that timescales for Stage 1 & 2 Complaints are adhered to and a response is given to the customer within the relevant timescale. The Service Manager is also responsible for ensuring that details of the response are posted into the complaints system and all mandatory fields completed. The Service Manager may delegate this process to a member of their team but ultimate responsibility for complaints lies with the Service Managers.

If you receive a complaint about your own service you should be aiming to deal with the complaint within 1 working day. Where this is not possible:-

- We must aim to complete the investigation and respond to the customer within 10 working days using the customer's preferred response channel. (This will be monitored by the Customer Service Manager and monthly reports sent to the Corporate Director for Services & Neighbourhoods).
- Where a Complaint deadline is extended beyond the initial response date the customer must be informed and the information recorded on the complaints system as an event.

Where a complaint is received directly by Customer Services they will acknowledge receipt of the complaint and advise the customer which service/officer will be dealing with the complaint.

Where a complaint is received directly by the service they will enter the complaint onto the Corporate Complaint system and acknowledge receipt.

If you need access to the complaints system ask your manager to arrange access via the Civica Service Desk.

Managers are responsible for ensuring that all staff are trained on the Complaints/Feedback process.

Partner Complaints

The Council is responsible for ensuring that partner organisations either have their own complaints policy in place or that they agree to follow the Council's process. We should have clear accountability for complaints handling for each partner and complaints should be monitored to ensure they are resolved correctly.

If a complaint relates to more than one problem and across different organisations the Service Manager will need to ensure either a joint response is issued or ensure that a response is issued by each party.

Organisations funded by the council will be expected to have a complaints procedure in place that can be monitored by the council. There should be a strong commitment from all our partners to learn from complaints with a system in place to disseminate learning.

Confidentiality and Anonymity

Services will treat all customer information as confidential. Names and addresses will not be published or disclosed outside of the Council. We will not accept anonymous complaints.

Equalities

Information about the Complaint's Policy will be available in large print, appropriate languages and audio tape if requested. Help will be provided to any customer requiring assistance in completing the form.

Complaint Handling Procedure

Stage 1

On receipt of a complaint, the Customer Services officer will enter it onto the complaints system, send an acknowledgement to the customer and confirm which service or individual will be dealing with the complaint. They will also notify the service/officer/partner concerned. The service, officer or partner will receive notification of a stage 1 complaint via an email.

Officers can use the email link to provide information back to the system or can access the system directly and process the complaint from there.

If officers, other than Customer Services, receive a complaint, they should email all details of the complaint to heretohelp@gloucester.gov.uk for Customer Services to enter it onto the complaints system.

If a response to the complaint has not been issued to the customer and logged into the complaints system a reminder will be sent to the Service Manager prior to producing the monthly reports to remind them that the complaint is still outstanding.

When closing the matter the officer will need to update the system with the action taken and where a written response has been sent they need to attach a copy of the response. Finished complaints require completion of **4 mandatory fields** which describe how the complaint was resolved.

- 1. Date Answered:** Full date should be entered e.g. 06/08/2013.
- 2. How Resolved:** Whether Justified (e.g. found to be our fault) complaint is valid from our viewpoint. Example – City Council employee or partner employee was rude to the customer, caller complaining about the time they had to queue to talk to us.
Unjustified (e.g. customer found to be at fault) on investigation customer is proved to be incorrect. Example – customer advises officer was rude to them but on listening to the call the officer was not rude.
Misunderstanding (e.g. Customer misunderstood instructions or policy). Once explained customer satisfied.
Example – Customer waited in all day for officer to visit but customer had the wrong day.
No Action (e.g. complaint wrongly assigned to GCC but not us). Example customer reports refuse crew were rude to them but we were not in the area so was not our crew.

For each of the options above “how the complaint was resolved” you will need to select from a drop down list (e.g. whether it was a call made, email sent or the customer was visited etc).

- 3. Action Taken:** you will need to select from a drop down list (e.g. Was coaching/training required, system or process amendment, policy to be reviewed or no action as not Gloucester City Council).
- 4. Details of Action Taken:** A text box to write a brief description of the action taken.

Where a service needs to extend the deadline for a response to be provided due to the complexity of a complaint, the customer should be contacted and Focus updated stating the date by when the complaint will be responded to.

Responses to customers should not be delayed unnecessarily because of outstanding procedures (e.g. disciplinary hearing awaited). We should respond to the customer and if appropriate apologise to them explaining the action we are taking.

Where a member sends in a complaint on behalf of a customer or is copied in on a customer complaint email the officer responding to the complaint must ensure that the member is updated with the action taken.

The response to a stage 1 complaint needs to include what they need to do if they are unhappy with the response received. (See example paragraphs for letters and emails in Appendix 1).

Once a response has been given and the matter status set to "Finished" stage 1 is complete.

Stage 2

On receipt of a Stage 2 complaint, the Customer Services Officer receiving the complaint will determine if the Complainant has reported the complaint before and received a response.

Customer Services will establish if this is a second level complaint and, if it is, will enter on the system as a stage 2 complaint. They will send an acknowledgement to the customer confirming who the complaint has been referred and advise the customer the anticipated response date.

If a Stage 2 complaint is received by an officer, other than Customer Services, details of that complaint should be emailed to: heretohelp@gloucester.gov.uk and a Customer Services officer will enter it onto the system.

The Complaint will then be sent to the next tier of Management to that which dealt with the previous complaint.

The relevant Manager/Director will:-

- Review the complaint and discuss with Service Managers and where necessary Legal and the Chief Executive to formulate a response.
- The response will notify the Customer of Stage three and give details of the Local Ombudsman if they wish to take this further.
- All correspondence must be recorded on the complaints system at the time of action pending queries in the future from the Ombudsman.

The response to a stage 2 complaint needs to include information referring customers to the Local Government Ombudsman if they are not satisfied with the response received. See example letters and emails attached.

Once a response has been given and the complaints system status updated to "Finished" stage 2 is complete.

Stage 3

If the customer is not satisfied with the responses received for stages 1 & 2 they can refer their complaint to the Local Government Ombudsman, P.O. Box 4771, Coventry CV4 0EH. The Ombudsman will review the complaint and responses received and may write to the Council for additional information. All Ombudsman complaints are administered through Democratic Services. If the Ombudsman feels that the complaint is justified or the handling of the process is at fault, the complaint will be forwarded to the Monitoring Officer for consideration/further action.

Unreasonable Behaviour/Vexatious Complaints

Where a complaint is considered to be unreasonable or vexatious the Service Manager should report this through to their Manager/Director for guidance. Corporate Directors may authorise action to be taken to restrict contact with the

customer. Action may be taken under our Unreasonable Behaviour Policy which could include providing a single point of contact for a customer or contact via a specific channel.

Reviews

If a complaint is justified, managers should, as a matter of routine, consider whether there is a need for a change in procedures or whether there are lessons to be learnt which may have wider implications for the City Council.

Freedom of Information (FOI)

The Freedom of Information Act 2000 gives the customer the right to request information from any public authority. It promotes openness and accountability among public sector organisations, so that everyone can understand how authorities make decisions, carry out their duties and spend public money. For full details please read our Corporate Freedom of Information Policy.

When the customer has received a response to a Freedom of Information request where they are not satisfied with the way they have been treated or the information provided they can complain or appeal. Complaints or appeals should be sent in writing to the Freedom of Information Officer. These will be reviewed by the Head of Legal and Policy Development and a response provided to the customer.

Where the customer is still not satisfied with the response received from the Head of Legal and Policy Development the customer can write to the Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Reporting

Monthly reports will be produced to Service Managers detailing any complaints that have been assigned to their service that are still outstanding. A week later a report will be produced for the Corporate Director of Services & Neighbourhoods detailing the number of complaints raised for the month, the number resolved within 10 days and the number still outstanding.

The Corporate Director for Services & Neighbourhoods will review the report and contact the necessary manager to discuss any issues identified on the report.

Appendix 1

Letter or email footer following Stage 1 complaint.

If you are not satisfied with the response to this complaint you can request a more senior manager investigate under Stage 2 of our Complaints Policy. Please complete the complaints form on our web site at <https://forms.gloucester.gov.uk/contactusforms/ComplaintForm.aspx>, email heretohelp@gloucester.gov.uk or ring 01452 396396 to speak to a Customer Service Officer.

Letter or email footer following Stage 2 complaint.

If you are not satisfied with the response to this Stage 2 complaint you can contact the Local Government Ombudsman, an independent body, who will review your complaint and may consider acting on your behalf. They can be contacted by email advice@lgo.org.uk, via telephone on 0300 061 0614 or 0845 602 1983, via text "call back" on 0762 480 4299 or by writing to the Local Government Ombudsman, PO Box 4771, Coventry CV4 0EH.

Persistent/Vexatious Complaints

We want to treat complaints positively and, where possible, leave customers feeling satisfied with their experience of making a complaint to us.

A complaint can be regarded as vexatious where it has been considered and found to be unjustified, but when the person making the complaint is:

- not prepared to accept the conclusion and persists in making the same, or a substantially similar, complaint.

Continuing to respond to such complaints can take up a significant amount of resources in time and money and can thereby detract from the service that can be provided to others. If a manager considers that a complaint has become vexatious the manager can ask their director for support in dealing with the complaint.

The manager, in consultation with their director and with advice from their legal team, may decide not to pursue the complaint any further. The person making the complaint will be notified of this decision.

At Gloucester City Council, we pride ourselves on the way we treat you and how efficiently we help you with any of the city council's services.

We want you to feel confident that your issues will be dealt with promptly, patiently and courteously.

Help us to improve and maintain our standards. We want to be the best council for you, so we value your feedback.

Confidentiality and Anonymity

Gloucester City Council is fully committed to compliance with the requirements of the Data Protection Act 1998.

The council will therefore aim to ensure that all employees, elected members, contractors, agents, consultants, or partners of the council who have access to any personal data held by or on behalf of the council, are fully aware of and abide by their duties and responsibilities under the Act. We will treat all customer information as confidential.

Names and addresses will not be published or disclosed outside the council or our partners.

We will not accept anonymous complaints.

If you, or someone you know, cannot understand English and need help with this information, or if you would like a large print, Braille or an audio version please call

01452 396396

For any feedback we receive we will ensure everyone is treated fairly and equally.

We will be consistent in the way we handle and respond to customer complaints.

Customer Services,
Herbert Warehouse,
Gloucester Docks,
GL1 2EQ

T: 01452 396396
E: heretohelp@gloucester.gov.uk
W: www.gloucester.gov.uk

City_0133 11.12

How we handle your complaints

The Process

Gloucester
City Council

Here to help

We aim to give the best possible service at all times, but sometimes we make mistakes and do not get it right. We will investigate any problems and, where possible, review our processes to help improve your experience.

Definition of a Complaint

A complaint is an expression of dissatisfaction by a customer about:

- The council's actions or lack of action
- The standard of service received

This is where the responsibility for the action, or the service provided, rests with the council or person or body acting on behalf of the council.

The following will not be treated as complaints in their first instance:

- Initial requests for service e.g. my bin has not been emptied, reporting graffiti, reporting overhanging vegetation.
- Initial report of faults or defects unless they concern work that the council has carried out.

We will not exclude these requests but will deal with them as normal work requests.

If the original request was not actioned/completed a repeat request will follow the complaints procedure.

Feedback can be given in many ways:

Website

www.gloucester.gov.uk
Use the "Make a comment or complaint" link on our home page.

Email

heretohelp@gloucester.gov.uk

Telephone

Ring our Customer Services team on 01452 396396.

Letter/Complaint Form

Send to:
Here to Help, Customer Services,
Gloucester City Council,
Herbert Warehouse, The Docks,
Gloucester, GL1 2EQ.

Visit

Gloucester City Council Offices at
Herbert Warehouse, The Docks,
Gloucester, GL1 2EQ.

The following complaints will be dealt with under separate policies:

Parking

The issue of a Penalty Charge Notice (PCN) is dealt with within the Traffic Management Act 2004.

Following the decriminalisation of parking in the city there are legal procedures that need to be followed when challenging a PCN. To complain against a PCN you will need to put your request in writing as instructed on the reverse of the PCN.

The Freedom of Information Act 2000

This gives you the right to request information from any public authority.

If you have received our response to a Freedom of Information request but you are not happy with the way you have been treated or the information provided, you can complain or appeal.

Complaints or appeals should be sent in writing to the Freedom of Information Officer. These will be reviewed by the Freedom of Information Officer with the Head of Legal Services and a response provided to you within 20 days.

If you are still unhappy with the response received from the Head of Legal Services, you can write to:

The Information Commissioners Office,
Wycliffe House, Water Lane, Wilmslow,
Cheshire, SK9 5AF.

Fraud and Corruption

The city council operates a mechanism for confidential reporting for fraud and corruption. Please see our anti-fraud and corruption policy.

(Part 5 – Codes and Protocols of the Gloucester City Council Constitution).

Some services have separate processes for appeals

Benefits

If you are not satisfied with a response from our benefits service regarding a claim you have made, you can appeal against the decision.

You can call our Benefits Service on 396483, email: benefits@gloucester.gov.uk or visit us stating you wish to appeal. We can arrange for an independent tribunal to hear your case.

Planning

Planning appeals are made to the Planning Inspectorate and reports can be made by visiting:
www.gloucester.gov.uk/planning

How the process works

Stage ONE Acknowledgement & Action

Report your complaint using one of the methods previously mentioned. We will acknowledge your complaint verbally or in writing within one working day advising who will be dealing with the complaint.

If you require your complaint to be reviewed by someone not previously involved with your case please specify at the time of reporting and we can arrange this for you.

We will aim to investigate your complaint as soon as possible and you should receive a response to your complaint within 10 working days.

However, sometimes a complaint may be complex and may involve other council partners. In this instance you will be contacted to advise of the delay and will be informed of the amended response date and the proposed action being taken.

Once a response has been given this stage is complete. We may contact you to obtain feedback about the way the complaint was handled. This information will be used to review the process and help us make improvements and provide important monitoring data.

Stage TWO Appeal

If you are not satisfied with the response received you can ask for a more senior manager or director to look at it. We will acknowledge your appeal verbally or in writing within one working day advising which manager/director will be reviewing the complaint.

The manager will respond within 10 working days but will advise you if more time is required and give you an estimated response date.

Once a response has been given this stage is complete.

Stage THREE Ombudsman

If you are still not satisfied with the response you can contact the Local Government Ombudsman.

This service is independent of the council and free of charge. Their contact details are:

The Local Government
Ombudsman
PO Box 4771, Coventry CV4 0EH.
advice@lgo.org.uk
Telephone:
0300 061 0614 or 0845 602 1983

Have your say

Give us feedback on our services

We encourage you to tell us how we are doing, whether good or bad, so we can review what we do, change the way we work and deliver excellent customer service. If you have a complaint or comment about the services we are delivering or wish to compliment us please complete this form.

If there is anything you
would like to discuss
with us, please ring
01452 396396

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Gloucester
City Council

What to expect from us

We aim to give the best possible service at all times, but sometimes we make mistakes and do not get it right. We will investigate any problems and, where possible, review our processes to help improve your experience.

Please contact us in any of these ways:

Website

www.gloucester.gov.uk

Use the “Make a comment or complaint” link on our home page.

Email

heretohelp@gloucester.gov.uk

Telephone

Call our Customer Services team on 01452 396396.

Write a letter or complete this form

Send to:

Here to Help,
Customer Services,
Gloucester City Council,
Herbert Warehouse, The Docks,
Gloucester, GL1 2EQ

Visit

Gloucester City Council Offices at Herbert Warehouse, The Docks, Gloucester, GL1 2EQ.

For any feedback we receive we will ensure everyone is treated fairly and equally. We will be consistent in the way we handle and respond to customers.

Your feedback will be taken into consideration when planning and reviewing our services.

If you are not satisfied with our response, please contact us again and we will take your complaint to a senior manager or director to review.

If you are still not satisfied, you can then refer the matter to:

The Local Government Ombudsman
PO Box 4771, Coventry CV4 0EH

advice@lgo.org.uk

Telephone numbers:
0300 061 0614 or 0845 602 1983

About you

Name

Address

Phone

Mobile

Email

Preferred method of contact. We can respond more quickly if you include a telephone number or email address

Would you like a response?

Yes

No

Your feedback

Date event or action happened:

Please tick:

Complaint

Compliment

Comment

Please describe what happened:

If you feel you have experienced unfair treatment please explain why:

Empty response box for explaining unfair treatment.

Suggestions for improvement:

Empty response box for suggestions for improvement.

Equality Information

This information will help us supply statistical information to the government. It will enable us to improve services and identify gaps in service delivery. With and help us know our customers. You only have to complete the questions you are happy to answer.

Gender

Female

Male

Was this the gender you were born with? Yes

No

Age

Under 16

16 – 24

25 – 34

35 – 44

45 – 54

55 – 64

65 – 74

75+

Ethnicity

White

Black or Black British

Asian or Asian British

British

African

Bangladeshi

Irish

Caribbean

Indian

Other White Background

Other Black Background

Pakistani

Other Asian Background

If other, please specify:

Mixed and other ethnicity

White & Asian

White & Black African

White & Black Caribbean

Other mixed background

If other, please specify:

Disability

Do you consider yourself to have a disability that needs to be taken into consideration in order to ensure that you have equal and fair access to services?

Yes

No

Religion or Belief System

Buddist

Christian

Hindu

Jewish

Muslim

Sikh

None

Other

Decline to identify

If other, please specify:

Sexual Orientation

Bisexual

Gay Man

Gay Woman/Lesbian

Heterosexual/Straight

Decline to identify

If other, please specify:

If you, or someone you know, cannot understand English and need help with this information, or if you would like a large print, Braille or an audio version please call

01452 396396

If there is anything you would like to discuss with us, please ring

01452 396396

Customer Services,
Herbert Warehouse,
Gloucester Docks,
GL1 2EQ

T: 01452 396396
E: heretohelp@gloucester.gov.uk
W: www.gloucester.gov.uk



Meeting:	Council	Date: 25 September 2014
Subject:	Regulation of Investigatory Powers Act 2000 (RIPA) – Six Monthly Report	
Report Of:	Cabinet Member For Performance and Resources	
Wards Affected:	All	
Key Decision:	No	Budget/Policy Framework: No
Contact Officer:	Sue Mullins, Head of Legal and Policy Development	
	Email: sue.mullins@gloucester.gov.uk	Tel: 39-6110
Appendices:	None	

FOR GENERAL RELEASE

1.0 Purpose of Report

1.1 To report to Council on the Council’s use of its powers under the Regulation of Investigatory Powers Act 2000 (RIPA).

2.0 Recommendations

2.1 Council is asked to **RESOLVE** that the contents of the report be noted.

3.0 Background and Key Issues

3.1 The Regulation of Investigatory Powers Act 2000 (RIPA) came into force in 2000. Both the legislation and Home Office Codes of Practice strictly prescribe the situations in which and the conditions under which councils can use their RIPA powers. All authorities are required to have a RIPA policy and procedure that they adhere to in using their RIPA powers.

3.2 The Council reviewed and updated its RIPA policy and procedure on 28 November 2013. The procedure requires the use of RIPA powers to be reported to Cabinet on a six monthly basis.

3.3 Since the last report to Cabinet, the Council has not used its RIPA powers.

4.0 Alternative Options Considered

4.1 There are no alternative options relevant to this matter.

5.0 Reasons for Recommendations

5.1 No action is required and the recommendation is therefore for Council to note the Council’s use of its RIPA powers.

6.0 Future Work and Conclusions

6.1 The annual review of the Council's RIPA policy will be due in the latter half of 2014 and a report with any recommendations being made will be brought to Council in due course.

7.0 Financial Implications

7.1 There are no financial implications arising out of this report.

8.0 Legal Implications

8.1 The legal implications are set out in the main body of the report.

9.0 Risk & Opportunity Management Implications

9.1 Reporting on the Council's use of its RIPA policy and procedure helps to ensure that the Council's use of its powers remain appropriate.

10.0 People Impact Assessment (PIA):

10.1 The RIPA legislation requires the Council to give substantial consideration to the people impact of using its RIPA powers each and every time a RIPA application is authorised.

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

11.0 Other Corporate Implications

Community Safety

11.1 The use of RIPA powers by the Council can contribute to ensuring community safety.

Sustainability

11.2 There are no sustainability implications arising out of this report.

Staffing & Trade Union

11.3 There are no staffing implications arising out of this report.

Background Documents:

Regulation of Investigatory Powers Act 2000

Protection of Freedoms Act 2012

Gloucester City Council Regulation of Investigatory Powers Act 2000 Procedural Guide



Meeting:	Council	Date: 25 September 2014
Subject:	Boundary Review – Proposed Warding Patterns	
Report Of:	Head of Legal and Policy Development	
Wards Affected:	All	
Key Decision:	No	Budget/Policy Framework: No
Contact Officer:	Sue Mullins, Head of Legal and Policy Development	
	Email: sue.mullins@gloucester.gov.uk	Tel: 396110
Appendices:	1. Draft Warding Proposal Map 2. Evidence in support of Warding proposals (to follow) 3. Electoral Variance	

FOR GENERAL RELEASE

1.0 Purpose of Report

1.1 The purpose of this report is to seek Council approval to the proposals of the Boundary Review Working Group on warding patterns for submission to the Local Government Boundary Commission for England (LGBCE).

2.0 Recommendations

2.1 Council is asked to **RESOLVE** that the draft Warding Proposal map at Appendix 1 and the Evidence in support of Warding proposals at Appendix 2 be approved for submission to the Local Government Boundary Commission for England.

3.0 Background and Key Issues

3.1 This report follows on from the Electoral Arrangements report considered by Council on 5 June 2014. By way of reminder, the LGBCE has determined that a review of the electoral arrangements for Gloucester City Council should take place because of significant electoral inequality in the Quedgeley Fieldcourt Ward. The Leader of the Council and the Chief Executive met with LGBCE representatives in December 2013 to discuss the process and timetable for the review and a cross party Member Working Group (the Boundary Review Working Group (BRWG)) was set up to prepare the necessary proposals for submission to the LGBCE.

3.2 The first part of the LGBCE review process was to address the issue of Council size - that is, the number of Members elected to the Council. On 5 June 2014, Council approved a submission for a Council size of 39 Councillors and this has been provisionally agreed by the Boundary Commission.

3.3 The next part of the process involves consultation by the Boundary Commission inviting the submission of warding proposals for the City. There has been publicity

regarding this issued by the Boundary Commission and the Council has provided information at various locations across the City to draw the consultation to the attention of the public. Warding proposals need to be submitted to the Boundary Commission by 29 September 2014.

3.4 In considering warding proposals, the Boundary Commission considers the 3 statutory criteria:

- Electoral equality;
- Community identity;
- Effective and convenient local government.

3.5 Electoral Equality

This criterion reflects a basic democratic principle that each person's vote should be of equal weight across a local authority area. The Boundary Commission considers "electoral variance" (i.e. the % figure by which a ward deviates from the councillor to elector ratio for the authority) and aims to have all wards with electoral variances of no more than 10%. The electoral variance information that was sent to the Boundary Commission as part of the Council size submission is set out at Appendix 3.

3.6 Community identity

The higher the electoral variance being proposed for any ward, the stronger the evidence of community identity needs to be to satisfy the Boundary Commission on the proposal. It's important to ensure that evidence is based in practical examples. Assertions as to community identity are unlikely to carry significant weight. The Commission also recognises that community identity is hard to define and can be subjective.

3.7 Practical examples of how communities interact at the time of the proposals can include:

- Shared community events;
- Shared amenities and facilities;
- Public facilities, such as doctors' surgeries, hospitals, libraries or schools;
- Showing how facilities provide a focus for interaction.

3.8 Effective and convenient local government

For this criterion, the Commission will consider the impact of proposals on councillor workload. It will also aim to ensure that wards are coherent, for example, by having clearly identifiable boundaries or by reflecting transport and communication links.

3.9 The BRWG has met to consider warding proposals and there has been cross-party agreement reached on proposals for the Wards shown at Appendix 1. At the time of writing the report, discussions are ongoing between the political groups and if cross-party consensus is reached on warding proposals for other parts of the City before Council meets on 25 September 2014, an amended plan will be made available to Council. Evidence to satisfy the statutory criteria has been produced for those

Wards where consensus has been reached and this is attached at Appendix 2 (to follow).

- 3.10 If it is not possible to achieve cross-party agreement for all areas of the City, it is suggested that each political group may wish to make a separate submission on warding proposals for those areas.

4.0 Alternative Options Considered

- 4.1 There are no alternative options with regard to the LGBCE review and the Council must implement its recommendations.

5.0 Reasons for Recommendations

- 5.1 The recommendations in the report have been reached via the cross party BRWG and, in the opinion of the Working Group, the warding proposals meet the statutory criteria.

6.0 Future Work and Conclusions

- 6.1 The electoral review timetable is detailed below.

Gloucester – Boundary Commission Review Timetable		
Stage	Date Start	Date Finished
Period for submission of warding patterns	22 July 2014	29 September 2014
LGBCE analysis and deliberation on submissions on warding patterns	September – December 2014	
Consultation on LGBCE draft recommendations for warding patterns	9 December 2014	16 February 2015
LGBCE analysis and deliberation of outcome of consultation on draft recommendations for warding patterns	February 2015 – April 2015	
Final recommendations published by LGBCE	May 2015	
All out elections	May 2016	

7.0 Financial Implications

- 7.1 There are no financial implications arising from the contents of this report.

(Financial Services have been consulted in the preparation of this report)

8.0 Legal Implications

- 8.1 There are no legal implications arising from the contents of this report.

(Legal Services have been consulted in the preparation of this report)

9.0 Risk & Opportunity Management Implications

- 9.1 The LGBCE is responsible for managing risks related to the completion of the review.

9.2 The Council has an opportunity to influence the warding patterns proposed by the Boundary Commission by preparing and submitting its own proposals. Greater weight is likely to be attached to a submission that has been approved by Council than submissions where no Council consensus has been reached.

10.0 People Impact Assessment (PIA):

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

11.0 Other Corporate Implications

Community Safety

11.1 There are no community safety implications.

Sustainability

11.2 There are no sustainability implications.

Staffing & Trade Union

11.3 An officer has been seconded to a temporary Project Officer post to support the detailed work on the review. Following the completion of all relevant submissions by the Council, the officer will return to their substantive post.

Background Documents:

All background papers are available electronically.

LGBCE guidance on how to propose a pattern of wards.

https://www.lgbce.org.uk/_data/assets/pdf_file/0014/10409/proposing-new-wards-guidance.pdf

City of Gloucester New Wards Structure and Ward Electoral Sub Districts



Key

City of Gloucester Wards

Abby
Barnwood
Barton & Tredworth
Elmbridge
Grange
Hucclecote
Kingsholm & Wotton
Kingsway
Langlevens
Matson & Robinswood
Moreland
Podismead
Quedgeley Fieldcourt
Quedgeley Severn Vale
Tuffley
Westgate

Ward Electoral Sub Districts

Abby A1
Abby A2
Abby A3
Abby A4
Abby A5
Abby A6
Abby A7
Abby A8
Abby A9
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Fill in the name of each ward once

Fill in the number of councillors per ward

These cells will show you the electorate and variance. They change depending what you enter in the table to the left.

Name of ward	Number of cllrs per ward	Electorate 2014	Variance 2014	Electorate 2020	Variance 2020
--------------	--------------------------	-----------------	---------------	-----------------	---------------

ABBEY	3	7,501	-5%	7,615	-9%
BARNWOOD	3	7,922	1%	7,942	-5%
BARTON AND TREDWORTH	3	7,697	-2%	7,928	-6%
ELMBRIDGE	2	4,587	-13%	4,683	-16%
GRANGE	2	4,665	-11%	4,665	-17%
HUCCLECOTE	3	7,189	-9%	7,285	-13%
KINGSHOLM AND WOTTON	2	5,566	6%	5,676	1%
LONGLEVENS	3	7,689	-2%	7,806	-7%
MORELAND	3	7,465	-5%	7,586	-10%
PODSMEAD	1	2,263	-14%	2,547	-9%
QUEDGELEY FIELD COURT	2	8,376	60%	10,442	87%
QUEDGELEY SEVERN VALE	2	5,479	4%	5,632	1%
MATSON AND ROBINSON	3	7,676	-3%	8,404	0%
TUFFLEY	2	4,707	-10%	4,720	-16%
WESTGATE	2	5,694	8%	7,844	40%

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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?
	Response	
	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.	
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?
	Response	
	<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>	

	<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.</p>	
No.	Question from/to	Question
5.	<p>From Councillor Gravells to the Cabinet Member for Regeneration and Culture</p>	<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>	

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Agenda Item 16

By virtue of paragraph(s) 1, 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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