



Herbert Warehouse
The Docks
Gloucester
GL1 2EQ

Wednesday, 16 September 2015

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, 24th September 2015 at 7.00 pm** for the purpose of transacting the following business:

AGENDA

1. **APOLOGIES**

To receive any apologies for absence.

2. **MINUTES (Pages 9 - 20)**

To approve as a correct record the minutes of the Council Meeting held on 23 July 2015.

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 or deputation is in relation to:

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

6. **ANNOUNCEMENTS**

To receive announcements from:

- a) The Mayor
- b) Leader of the Council
- c) Members of the Cabinet
- d) Chair of Committees
- e) Head of Paid Service

7. **MEMBERS' QUESTION TIME**

- a) Leader and Cabinet Members' Question Time (30 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.

- b) Questions to Chairs of Meetings (15 Minutes)

ISSUES FOR DECISION BY COUNCIL

8. **PROGRESS REPORT ON DEVOLUTION PROPOSAL TO GOVERNMENT (Pages 21 - 28)**

To receive the report of the Managing Director concerning the devolution proposal submitted to Government by Leadership Gloucestershire

MOTIONS FROM MEMBERS

9. **NOTICES OF MOTION**

(1) MOVED BY COUNCILLOR HAIGH

“This Council notes the installation of 'safety features' in the shared space at Kimbrose triangle. These measures do not constitute a regulated zebra

crossing and drivers and pedestrians are now confused as to whether the remaining section of road within the scheme is shared or not. The scheme has never worked as intended, due to poor design, and this tinkering with the layout is likely to lead to accidents.

This Council asks the Leader to enter discussions with the County Council to either install a proper pedestrian crossing or to take steps such as the installation of rumble strips and other cues to make the shared space more obvious to drivers and pedestrians.”

(2) MOVED BY COUNCILLOR H. NORMAN

“This Council:

Believes that the city's rich heritage must continue to be protected, enhanced and promoted as part of Gloucester's continuing regeneration;

Welcomes the ongoing generous support from the Heritage Lottery Fund for projects within the city;

Welcomes the establishment of the Heritage Forum to co-ordinate heritage projects Gloucester;

Enthusiastically endorses the support, both advisory and financial, given by the Council to the projects with Stage 1 HLF approval, which are working towards on their Stage 2 submissions - Llanthony Secunda Priory, Project Pilgrim at Gloucester Cathedral and Discover De Crypt.”

(3) MOVED BY COUNCILLOR PATEL

“This Council:

Recognises the extraordinary government contribution to funding aid to displaced Syrians in refugee camps in the region;

Notes that the government has committed to accepting up to 20,000 vulnerable refugees from Syrian camps;

Further notes that many residents will wish to help Syrian refugees that come to the UK;

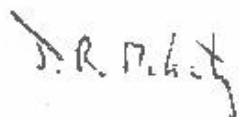
Supports the MP for Gloucester's call for the government to provide matched funding for all donations specifically for Syrian refugees to the UK;

Encourages all citizens of Gloucester who want to help, in whatever way, to register their interest with Gloucestershire Action for Refugees and Asylum Seekers.”

10. **WRITTEN QUESTIONS TO CABINET MEMBERS (Pages 29 - 40)**

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

Yours sincerely

A handwritten signature in dark ink, appearing to read "J. R. McGinty". The signature is written in a cursive style with some loops and flourishes.

Jon McGinty
Managing Director

NOTES

Disclosable Pecuniary Interests

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

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

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

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

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

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

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.

This page is intentionally left blank



COUNCIL

MEETING : Thursday, 23rd July 2015

PRESENT : Cllrs. Field (Mayor), Beeley (Sheriff & Deputy Mayor), James, Dallimore, Noakes, Norman, Organ, Porter, Haigh, Hilton, Tracey, McLellan, Smith, Hobbs, Lugg, Hanman, Lewis, Bhaimia, S. Witts, Llewellyn, Williams, Brown, Hansdot, Patel, Randle, Toleman, Chatterton, Pullen, Etheridge, Hampson, H. Norman and Pearsall

Others in Attendance

Jon McGinty, Managing Director

Martin Shields, Corporate Director of Services and Neighbourhoods

Ross Cook, Corporate Director

Shirin Wotherspoon, Solicitor

Sarah Freckleton, Solicitor

Anthony Wilson, Head of Planning

Tanya Davies, Democratic and Electoral Services Manager

APOLOGIES : Cllrs. Gravells, C. Witts, Dee and Taylor

13. MINUTES

13.1 **RESOLVED** – That the minutes of the meeting held on 21 May 2015 be approved and signed by the Mayor as a correct record.

14. DECLARATIONS OF INTEREST

14.1 There were no declarations of interest.

15. PUBLIC QUESTION TIME (15 MINUTES)

15.1 Mr Andrew Chick asked the Cabinet Member for Housing and Planning to provide the details of the existing housing planning permissions which were in the Council's five year list, showing which were Brownfield and which were Greenfield, the number of dwellings to be built on each site and what efforts the Council was able to make to persuade developers to build those homes.

15.2 Councillor Organ (Cabinet Member for Housing and Planning) undertook to provide a breakdown of the information requested. He noted that five years was a long time and the information could change rapidly depending on housing need, the economy and the availability of mortgages.

COUNCIL
23.07.15

- 15.3 Mr Steve Morgan asked the Chair of the Planning Committee and the Cabinet Member for Housing and Planning if, before any further applications for housing on Greenfield sites were determined, they would jointly investigate the contention that the Strategic Housing Land Availability Assessments of recent years and the 2013 SALA were both flawed and void because there was not the community involvement as required in both the 2007 and 2014 Government Guidance and in particular paragraph 008 and the 2014 guidance, which states that plan makers should work with local communities amongst others. He further requested that any resulting report from the review be presented to the Planning Policy Sub Committee.
- 15.4 Councillor Lewis (Vice Chair of the Planning Committee) agreed to discuss the request with the Chair of the Planning Committee, the Cabinet Member for Housing and Planning and officers and, if appropriate, bring a report to the Planning Policy Sub Committee.
- 15.5 Councillor Organ stated that the matter came under the Joint Core Strategy (JCS), which was currently being inspected. He reported that the inspector had called for more detail and more consultations would take place, with feedback expected in September; therefore it would be appropriate to consider the matter at that time.
- 15.6 Mr Morgan asked if the Cabinet Member accepted that the question related historic reports and actions taken that had been used as evidence for determining planning applications.
- 15.7 Councillor Organ undertook to consider the data in question and to provide a written response.
- 15.8 Mr Christopher Atine from the Licensed Victuallers Association (LVA) asked the Leader of the Council and the Cabinet Member for Communities and Neighbourhoods how a licensed premises at the Docks was able to obtain a licence to stay open past midnight when assurances had repeatedly been given that it was not the aim for the Quays/Docks area, what the intention for the area was, and whether the Council was aware of the precedent that had now been set.
- 15.9 Councillor James (Leader of the Council and Cabinet Member for Regeneration and Economy) advised that the premises in question were not part of the Gloucester Quays site, and were owned by the Canal and River Trust and it would be a matter for them to exercise any controls as landlords. He stated that it was important for the evening economy in the Docks and the city centre to complement each other, not compete and that it would not be appropriate to have a concentration of late night licenses nor would it be compatible with the concentration of housing. Those determining applications should have regard for the impact of the environment and residents and the Council would encourage residents to provide feedback and make objections to applications where they saw fit to do so.
- 15.10 Councillor Dallimore (Cabinet Member for Communities and Neighbourhoods) stated that she was concerned about the issues that had been raised and that the Council did not wish for licensed premises to affect the quality of life of any residents. She had already agreed to discuss the issues at Nightsafe, but noted that only one formal complaint, in relation to noise, had been received, and the

COUNCIL
23.07.15

Council encouraged residents to report any issues. She advised that licences were dealt with on their own merits and that she had not been aware that a late licence had been sought and approved. She undertook to involve the LVA and Nightsafe in discussions with officers and approach the licensee to consider what could be done to tackle any anti-social behaviour.

- 15.11 Mr Atine asked if the Council was aware of the strength of feeling amongst traders that events arranged at the Docks were having a negative impact on the city centre and that the city centre would eventually become a satellite.
- 15.12 Councillor James stated that the Council wanted both the Docks and city centre to be successful and that they served different purposes and so should complement each other. The aim was not to prevent success at the Docks, but to promote the city centre, and the Council itself continued to invest significantly more in the city centre through the City Centre Investment Fund.

16. PETITIONS AND DEPUTATIONS (15 MINUTES)

- 16.1 Mr Steve Morgan presented the following petition signed by 139 people:

“We the undersigned call upon Gloucester City Council to use its existing plans, policies and strategies to resist any development on Greenfield sites in Hempsted until all brownfield sites in the vicinity are built out.”

- 16.2 Councillor Organ stated that he agreed that building on brownfield sites was desirable where possible and that urban sprawl should be resisted; however, the Council did not own the land and brownfield sites tended to be more difficult to develop. He explained that working with developers was important; including encouraging them to get the best out of poor sites, but the City was running out of land to develop due to the challenging boundaries.

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

Mayor

- 17.1 The Mayor stated that Gloucester Carnival would take place on Saturday 25 July 2015 and that it also marked the beginning of the Summer Festival. He added that the Rhythm and Blues Festival would take place from Saturday 25 July to Sunday 2 August 2015.

Cabinet Members

- 17.2 Councillor Noakes (Cabinet Member for Culture and Leisure) also highlighted the Carnival and reminded Members of the travel arrangements and the theme, which was ‘World in Union’.
- 17.3 Councillor Organ reminded Members about the Retro Festival taking place in the city centre on 29 and 30 August 2015; each of the gate streets would be themed around a different era in history.

COUNCIL
23.07.15

Chairs of Committees

- 17.4 Councillor Lugg (Chair of the Overview and Scrutiny Committee) advised that nominations were being sought for Members to take part in a joint Overview and Scrutiny Task and Finish Group with Cheltenham Borough Council about broadband issues.

18. SUSPENSION OF COUNCIL PROCEDURE RULES

- 18.1 Moved by Councillor James (Leader of the Council and Cabinet Member for Regeneration and Economy), seconded by Councillor Dallimore (Deputy Leader of the Council and Cabinet Member for Communities and Neighbourhoods) –

- 18.2 **RESOLVED** - That Council Procedure Rules be suspended to allow the relevant officers to address the Council in respect of agenda item 8 (Statement of Community Involvement).

19. STATEMENT OF COMMUNITY INVOLVEMENT

- 19.1 Council considered a report of the Cabinet Member for Housing and Planning seeking formal adoption of the Council's Statement of Community Involvement (SCI) following a period of its public consultation.

- 19.2 Councillor Organ moved the recommendations set out in the report and explained that the SCI set out how communities were to be engaged during the planning process and that the Council was legally required to update it to reflect changes in legislation. A small number of consultation responses had been received and incorporated and the revised SCI had been endorsed by the Planning Policy Sub Committee on 18 June.

- 19.3 Councillor James seconded the motion.

- 19.4 **RESOLVED** - that the Statement of Community Involvement attached at Appendix 1 to the report be formally adopted for planning policy and development control purposes.

20. APPOINTMENT OF ELECTORAL REGISTRATION OFFICER AND RETURNING OFFICER

- 20.1 Council considered a report of the Monitoring Officer concerning the appointment of an Electoral Registration Officer and Returning Officer.

- 20.2 Councillor James moved the recommendations set out in the report and welcomed Jon McGinty, the Council's new Managing Director. He advised that Mr McGinty's appointment to the role included the positions of Electoral Registration Officer and Returning Officer, which required approval by Council. He thanked Martin Shields, Corporate Director of Services and Neighbourhoods, for acting as Returning Officer during the General and local elections in May 2015.

- 20.3 Councillor Dallimore seconded the motion.

COUNCIL
23.07.15

20.4 RESOLVED –

- (1) That, in terms of the Representation of the People Act 1983 and all related legislation, Jonathan McGinty be appointed as Electoral Registration Officer for the City.
- (2) That, in terms of Section 41 of the Local Government Act 1972 and all related legislation, Jonathan McGinty be appointed as Returning Officer for the City Council, with authority to act in that capacity for elections to the City and Quedgeley parish council.
- (3) That the City Council Returning Officer also be appointed or authorised to act in respect of all related electoral, poll or referendum duties, including in relation to County Council elections, elections to the European Parliament, and for national and regional polls or referenda.
- (4) That the Electoral Registration Officer and the Returning Officer be authorised to appoint a deputy or deputies in relation to these roles.
- (5) That, in relation to the duties of Returning Officer or any other electoral, referendum or polling duties arising from such an appointment, the Returning Officer shall be entitled to be remunerated in accordance with the scale of fees approved by the Gloucestershire Election Fees Working Party for local elections, or the relevant scale of fees prescribed by a Fees Order in respect of national, regional or European Parliament elections, polls or referenda.
- (6) That in all cases where it is a legal requirement or normal practice to do so, fees paid to the Returning Officer shall be superannuable, and the Council shall pay the appropriate employer's contribution to the superannuation fund, recovering such contribution from central government or other agencies where this can be done.
- (7) That in relation to the conduct of local authority elections and polls, and elections to the UK Parliament, and all other electoral duties where the Council is entitled by law to do so, the Council shall take out and maintain insurance, indemnifying the Council and the Returning Officer against legal expenses reasonably incurred in connection with the defence of any proceedings brought against the Council or the Returning Officer and/or the cost of holding another election in the event of the original elections being declared invalid (provided that such proceedings or invalidation are the result of accidental contravention of any legislation governing the electoral process, or accidental breach of any ministerial or other duty by the Returning Officer or any other person employed by or officially action for them in connection with the election or poll).
- (8) That, in the event of such insurance carrying an 'excess' clause by which an initial portion of risk is not insured, the Council, through its internal insurance reserve or otherwise, will indemnify the Returning Officer up to the value of such an excess.

COUNCIL
23.07.15

21. DESIGNATION OF MONITORING OFFICER

- 21.1 Council considered a report of the Head of Paid Service concerning the appointment of a Monitoring Officer.
- 21.2 Councillor James moved the recommendations set out in the report. He advised that the previous Monitoring Officer had left the Council's employment and that the Council was required by law to make an appointment. It was considered that the most appropriate option was to extend the arrangement with One Legal to include the Monitoring Officer functions on a temporary basis for a period of 12 months.
- 21.3 Councillor Dallimore seconded the motion.

21.4 RESOLVED –

- (1) That Shirin Wotherspoon, Head of Law (Commercial) from Tewkesbury Borough Council (One Legal), be designated Monitoring Officer for the City Council in accordance with section 5 of the Local Government and Housing Act 1989 with immediate effect for an interim period of up to 12 months.
- (2) To enter into an agreement to second the above mentioned officer from Tewkesbury Borough Council (One Legal) to Gloucester City Council on terms to be agreed between Tewkesbury Borough Council, Gloucester City Council and the officer.
- (3) To delegate authority to the Managing Director to agree the terms of the secondment and to sign the secondment agreement on behalf of Gloucester City Council and to make any necessary consequential amendments to the Council's Constitution arising from the agreed terms and any re-assignment of the current Monitoring Officer functions.

22. VARIOUS CONSTITUTIONAL AMENDMENTS

- 22.1 Council considered a report of the Monitoring Officer concerning various amendments to the Council's Constitution.
- 22.2 Councillor Hilton (Chair of the Constitutional and Electoral Working Group) moved the recommendations set out in the report and highlighted each of the proposed changes, which had been endorsed by the Constitutional and Electoral Working Group on 14 July 2015.
- 22.3 Councillor Haigh (Vice Chair of the Constitutional and Electoral Working Group) seconded the motion and stated that in light of the dissolution of the Equality Champions Group, the Council needed to review its approach to People Impact Assessments. She added that moving verbal questions to Cabinet Members up the agenda would engage Members of the public and encourage Members to focus on important issues affecting the City.
- 22.4 Councillor Dallimore stated that she was happy to work with the Cabinet Member for Performance and Resources on the Council's approach to internal and external

COUNCIL
23.07.15

equalities matters, but that a specific forum was not required because feedback from Members was welcomed at any time.

22.5 RESOLVED –

- (1) The changes to the Constitution shown in Appendix 1 be approved.
- (2) The changes to the Constitution shown in Appendix 2 be approved.
- (3) The changes to the Constitution shown in Appendix 3 be approved and the Cabinet Members for Communities and Neighbourhoods and Performance and Resources be asked to consider reviewing the Council's approach to People Impact Assessments.
- (4) The changes to the Constitution shown in Appendix 4 be approved.

23. ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE FOR 2014-15

- 23.1 Council considered a report of the Chair of the Overview and Scrutiny Committee concerning the Annual Report of the Overview and Scrutiny Committee for 2014-15.
- 23.2 Councillor Lugg moved the recommendations set out in the report and thanked Sonia Tucker, Democratic Services Officer, for compiling the report and supporting the Committee. She highlighted the Committee's work with students and Task and Finish Group activity over the preceding 12 months.
- 23.3 Councillor Hampson seconded the motion.
- 23.4 **RESOLVED** - that the Annual Report of the Overview and Scrutiny Committee for 2014-15 be noted.

24. ANNUAL REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE 2014-15

- 23.1 Council considered a report of the Chair of the Overview and Scrutiny Committee concerning the Annual Report of the Overview and Scrutiny Committee for 2014-15.
- 23.2 Councillor Llewellyn (Chair of the Audit and Governance Committee) moved the recommendations set out in the report and noted that the number of meetings of the Committee had been increased to ensure that the workload could be managed effectively. She advised that the settled membership had helped over recent years and paid tribute to former Councillor Declan Wilson for his service to the Committee during his time as Chair.
- 23.3 Councillor McLellan seconded the motion.
- 23.4 Councillor Haigh echoed the remarks made to acknowledge the contribution of the former Chair and suggested that a letter be sent to Declan Wilson expressing the Council's gratitude and best wishes.

COUNCIL
23.07.15

23.5 **RESOLVED** - that the Annual Report of the Audit and Governance Committee for 2014-15 be noted.

25. QUESTIONS BY MEMBERS (COUNCIL PROCEDURE RULE 12)

Written questions to Cabinet Members

25a.1 There were no written questions.

Leader and Cabinet Members' Question Time

25b.1 Councillor Haigh asked the Leader of the Council and Cabinet Member for Regeneration and Economy whether the Administration misled the City over plans to clad ugly buildings in advance of the Rugby World Cup (RWC) or failed to deliver.

25b.2 Councillor James stated that the Council would deliver on the commitment made in respect of unattractive buildings; however, the decision had been made to take a cautious approach in respect of Kings Walk car park to ensure that the optimum result was achieved. He reported that the upper levels of the building had been cleaned and a test panel put in place to seek feedback before a final decision was made. He advised that the upper levels would be painted in advance of the RWC, but that building was not actually on any of the main routes associated with the RWC.

25b.3 Councillor Haigh asked if it was disappointing that the cladding would not be in place for the RWC despite previous assurances.

25b.4 Councillor James reiterated that a cautious approach was appropriate and would ensure that the right result was achieved.

25b.5 Councillor Haigh asked the Leader of the Council and Cabinet Member for Regeneration and Economy what steps had been taken to ensure that there would be no repeat of the distribution of hate literature that occurred at Gloucester Carnival in 2014.

25b.6 Councillor James explained that new guidelines had been issued and stewards had been briefed to maintain a keen eye, but that the Council relied upon individuals to behave appropriately.

25b.7 Councillor Haigh asked whether relevant groups had been informed about the new guidelines.

25b.8 Councillor James advised that the new guidelines had been sent to all groups.

25b.9 Councillor Hilton asked the Leader of the Council and Cabinet Member for Regeneration and Economy when Stanhope could be expected to submit a planning application for the Kings Quarter development.

25b.10 Councillor James highlighted the progress already made, including the acquisition of the land from Aviva and securing funding for the new bus station. He advised

COUNCIL
23.07.15

that development agreement required Stanhope to submit a planning application by 31 March 2016 and they were being pressed to meet the requirement.

- 25b.11 Councillor Hilton asked what the Council's alternative plan for the development was in the event that Stanhope failed to submit a planning application within the required timescale.
- 25b.12 Councillor James advised that Stanhope had assured the Council of their commitment to the scheme and that discussing alternatives in a public forum would only serve to undermine the development, which needed to be given the best chance of succeeding.
- 25b.13 Councillor Hilton asked the Cabinet Member if he agreed that tenants in the private rented sector should be given the same right to buy their home as the government was giving to social housing tenants.
- 25b.14 Councillor Organ stated that private landlords should not be forced to sell to tenants and that it would cause the private rented sector to seize up; a balanced approach with choice was required for a healthy housing market.
- 25b.15 Councillor Hilton asked why the government was forcing registered social landlords to sell to tenants by giving them the right to buy their home when this would have a detrimental impact on the market and reduce the number amount of housing available for those in need.
- 25b.16 Councillor Organ stated that the government was committed to creating a balanced housing market with choice
- 25b.17 Councillor Chatterton asked the Leader of the Council and Cabinet Member for Regeneration and Economy whether he could give assurances that the new Gloucester Rugby Superdry at Gloucester Quays was a one-off and that the outlet centre would not be welcoming any other A1 retail brands.
- 25b.18 Councillor James stated that Gloucester was an outlet centre and that it is obliged to comply with its planning consent; however, a small amount of A1 retail was permitted and the new store made use of this permission.
- 25b.19 Councillor Chatterton asked the Leader to confirm that no other non-outlet stores would open.
- 25b.20 Councillor James confirmed that 2000 square feet of A1 retail was permitted and that the Gloucester Rugby Superdry store occupied all of the permitted space.
- 25b.21 Councillor McLellan asked the Cabinet Member for Environment how many bins had been delivered during 2014-15, what the cause on non-delivery was and what the Council had done to resolve the issue.
- 25b.22 Councillor Porter (Cabinet Member for Environment) reported that 10,748 requests for new or replacement bins, boxes or caddies had been received in 2014-15 and that deliveries had been completed for all requests that had been deemed reasonable, however, delivery had not always met the optimum

**COUNCIL
23.07.15**

timescale. 482 complaints of late delivery had been received, a significant increase to the 112 complaints received during 2013-14 and the reason for the delays was due to a supply issue. He advised that the matter had been raised with Amey at the time and remained a priority issue.

- 25b.23 Councillor McLellan asked the Cabinet Member whether he was confident that issue was being resolved.
- 25b.24 Councillor Porter advised that he had received assurances that there was no longer a supply issue and that work was ongoing to catch up with delayed deliveries. He reported that 332 requests for new or replacement bins, boxes or caddies had been received in 2015-16 to date and that there had been 106 complaints regarding late delivery.
- 25b.25 Councillor Hobbs asked the Cabinet Member for Housing and Planning what measures the Council was putting in place to prevent changes to the fundamental detail of existing planning approvals for brownfield sites being given automatic approval under changes announced to the planning process.
- 25b.26 Councillor Organ stated that once the Joint Core Strategy was approved there would be a plan in place for all development; this would ensure that development would be driven for the right reasons and protect the Council. He advised that it was necessary to reach agreement with Cheltenham Borough Council and Tewkesbury Borough Council regarding the location of social housing and that the Housing Strategy would follow the approval of the JCS.
- 25b.27 Councillor Hobbs asked what the Council would do to stop developers ignoring the JCS and utilising the National Planning Policy Framework to obtain automatic approval.
- 25b.28 Councillor Organ stated that the JCS would be the Council's main defence and that devolution would also help if local areas were given more decision-making powers.
- 25b.29 Councillor Brown asked the Cabinet Member for Culture and Leisure whether she was aware of the Gloucester Arts Council and if a dialogue had begun with the aim of improving the cultural offer in the City.
- 25b.30 Councillor Noakes advised that she was aware of the Gloucester Arts Council and that other groups and individuals had also contributed to the significant progress already made to the City's cultural offering and the continued momentum. She explained that an Interim Culture Board has been established to begin work on a new Cultural Strategy; a formal Board requiring cross-party representation would follow and forum for practitioners would run in parallel. She advised that with a revised Cultural Strategy in place, the Council would be able to bid for funding.
- 25b.31 Councillor Brown asked the Cabinet Member to confirm the timescale for the creation of the formal Culture Board.
- 25b.32 Councillor Noakes advised that the timescale would be aggressive and that Members would be made aware of the full details as soon as possible.

COUNCIL
23.07.15

25b.33 Councillor Pullen asked the Cabinet Member for Communities and Neighbourhoods whether any thought had been given to how the Council could limit the spread of fixed term betting in the City.

25b.34 Councillor Dallimore stated that it was an important issue and one that was being monitored, so that if it became a problem the Council could act.

25b.35 Councillor Pullen asked whether the Council could limit the number of terminals permitted on each premises.

25b.36 Councillor Dallimore undertook to discuss any relevant powers with the Licensing Team and consider whether any policies could be introduced to prevent the saturation of licences.

26. NOTICES OF MOTION

(1) Notice of Motion from the Labour Group

26.1 Moved by Councillor Haigh and seconded by Councillor Chatterton:

“This Council agrees to set up a cross party working group to consider the implications of devolution within England for the City Council in the light of Leadership Gloucestershire's expression of interest to the DCLG to assume more powers.”

26.2 The motion was put to the vote and was carried.

(2) Notice of Motion from the Liberal Democrat Group

26.3 Moved by Councillor McLellan and seconded by Councillor Hilton:

“This Council will write to the Local Government Association to ask them to seek government support for legislation to stop supermarkets throwing away food which has reached its sell by date and instead donate it to charity or use for animal feed and to support proposals by the EU Commission to recommend these ideas across the EU.”

26.4 The motion was put to the vote and was carried.

Time of commencement: 7.00 pm hours

Time of conclusion: 8.50 pm hours

Chair

This page is intentionally left blank



Meeting:	Council	Date:	24 September 2015
Subject:	Progress Report on Devolution Proposal to Government		
Report Of:	Managing Director		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Jon McGinty, Managing Director		
	Email: jon.mcginty@gloucester.gov.uk	Tel:	39-6200
Appendices:	None		

FOR GENERAL RELEASE

1.0 Purpose of Report

1.1 To provide Members with information relating to a devolution proposal submitted to Government by Leadership Gloucestershire.

2.0 Recommendations

2.1 Council is asked to **RESOLVE** that

- (1) The devolution proposal be noted;
- (2) The relevant Cross-Party Members Working Group continues to monitor the development of the devolution proposal, prior to any decisions being brought back to this Council.

3.0 Background and Key Issues

3.1 Shortly after the Scottish independence referendum in 2014, the Coalition Government announced an agreement to devolve a range of powers to the Greater Manchester Combined Authority, giving local representatives there control over decisions which had until then been taken at a national or regional level. This included the devolution of powers for significant areas of spending such as transport, planning, housing and health and social care.

3.2 The Queen’s Speech announcing the programme for the new Conservative Government in May 2015 highlighted that legislation would be introduced to provide for the devolution of powers to cities with elected mayors. Subsequent Government statements made clear that they would also consider devolution of powers to non-metro areas including shire counties. These messages were reinforced and repeated in the summer Budget statement and supporting documents in July, which also announced the launch of a Spending Review to be concluded and published in November 2015.

3.3 Supporting guidance indicated that areas interested in seeking devolution of powers should submit proposals by 4th September 2015, if they wished these to be considered as part of Spending Review 2015.

3.4 Leadership Gloucestershire (LG) was established in January 2011, bringing together those public sector organisations which allocate and spend significant resources in Gloucestershire. Its role is to provide vision, leadership and strategic direction in those areas where it is vital for organisations to work together to meet the needs of the people and communities of Gloucestershire in the most cost effective way. The core membership of LG is:

<ul style="list-style-type: none">• Leader and Chief Executive, Cheltenham Borough Council• Leader and Chief Executive, Cotswold District Council• Leader and Lead Director, Forest of Dean District Council• Leader and Managing Director, Gloucester City Council• Leader and Chief Executive, Gloucestershire County Council• Police and Crime Commissioner for Gloucestershire	<ul style="list-style-type: none">• Chief Constable, Gloucestershire Constabulary• Chair, Gloucestershire Clinical Commissioning Group• Accountable Officer, Gloucestershire Clinical Commissioning Group• Leader and Chief Executive, Stroud District Council• Leader and Chief Executive, Tewkesbury Borough Council• Chair and Chief Executive GFirst LEP
---	---

3.5 LG met in July 2015, shortly after the Government Budget announcement, and agreed to submit a devolution proposal for Gloucestershire to Government. The Leaders of all the public organisations are enthusiastic about the opportunities devolution may bring for Gloucestershire. They believe more can be achieved for Gloucestershire through having greater local power and decision-making. A statement of intent for devolution was submitted to Ministers on Monday 27 July and can be accessed here:

https://wearegloucestershire.files.wordpress.com/2015/09/gcc_1298_gloucestershire_county_council_devolution_statement_of_intent.pdf

3.6 Government gave LG the go-ahead to submit a detailed bid, and this was submitted on Friday 4 September and can be accessed here:

https://wearegloucestershire.files.wordpress.com/2015/09/we_are_gloucestershire_devolution_bid.pdf

3.7 The government will now select and negotiate on bids in time for the Chancellor of the Exchequer to announce further devolution deals in his spending review statement on Wednesday 25 November.

3.8 It is important to note that the bid proposal submitted by LG does not create binding commitments on behalf of all the member organisations, and there will still be a democratic debate on the proposals at a later date. What was submitted to Government was a set of devolution 'asks' and 'offers' as a basis to begin negotiations with Whitehall Departments and Ministers in order to secure agreement to a devolution deal. Those negotiations will likely result in revision and reconsideration of the set of asks and offers. Ultimately, any proposal to transfer

City Council powers to a Combined Authority or elsewhere would be brought back to this Council for discussion, debate and resolution.

- 3.9 Gloucester City Council agreed in July 2015 to set up a cross-party working group to consider the devolution proposals developed by LG and to influence the Council's contribution to those proposals. The group would also consider the impact of devolution on the City Council and make recommendations to full Council as appropriate.
- 3.10 The cross-party working group met once to consider the draft bid submission to Government, and agreed that Council should receive a progress report, highlighting for all Members the key pertinent aspects of the devolution bid proposal.

Selected key aspects of the Gloucestershire devolution proposal

1. Governance

The proposal sets out that LG's preferred model of governance and accountability for a devolution deal is to create a Combined Authority, but offered to test this by carrying out a Governance Review by April 2016. The Combined Authority would include the Leaders of the seven local authorities as constituent members, and co-opt the following non-constituent members: the Police and Crime Commissioner, the Chair of GFirst LEP and the Chair of the Gloucestershire Clinical Commissioning Group. There would be voting rights for all, which would be set out as part of the Governance Review.

The combined authority would not replace existing councils, which would remain autonomous bodies. The expectation is that any functions that would be transferred to the Combined Authority would be supported by the pooling of associated resources into the control of the Combined Authority, subject to developing business plans which address the current statutory responsibilities.

In addition to the Combined Authority, there would be an Audit Committee and an Overview and Scrutiny Committee both comprising non-executive Members and co-opted non-executive members from the CCG, OPCC and LEP.

2. Economic Growth

The proposal offers closer working and cooperation between councils to achieve the adoption of all core strategies and local plans by 2017 and coordination of plan reviews by 2020. It commits to coordinating strategic planning and infrastructure decisions to deliver housing and employment growth. It offers to develop a single county-wide evidence base covering common elements of housing, infrastructure, employment needs and transport. And it offers to integrate leadership and direction of the planning workforce across all agencies and to appoint a Strategic Planning Commissioner for Gloucestershire to lead this work.

The proposal also offers to develop by 2017 a framework to pool Community Infrastructure Levy (CIL) funding to meet the costs of major infrastructure projects, and to create a single infrastructure investment fund (business rates pool surplus, CIL funding, etc).

In many respects, these offers to Government represent no more than extensions of the direction of travel that Gloucester City Council has already

started upon, through its development of a joint core strategy with two neighbouring councils.

In return for these offers, the proposal seeks devolution of fee setting powers for planning and licensing, and a veto over current Permitted Development Rights to provide greater protection for key employment sites from being converted to residential use where this will damage the local economy.

The proposal seeks devolution of all non-devolved local transport funding, adult skills and community learning budgets and apprenticeship grants to the Combined Authority, and asks for Gloucestershire to retain 100% of any future business rates 'uplift' for 25 years to support housing schemes and infrastructure.

It also asks for the Environment Agency to bring forward a £25 million River Severn flood alleviation programme to provide protection for historic and future regeneration schemes, including Blackfriars, and other existing areas of economic activity.

3. Health and Care

The proposal asks for the devolution of integrated and place-based health and social care budgets for Gloucestershire with a minimum five year settlement. It also seeks delegation of powers and funding to commission other primary care services (including pharmacy, optometry, dental, immunisation and screening services).

In return for these asks, it offers to manage spending within existing allocations in spite of future demand pressures, whilst also improving health outcomes and reducing health inequalities.

4. Community safety

The proposal offers to improve the integration and collaboration between agencies to achieve safer communities. There may be some integration and pooling of resources although the intention remains to maintain distinct Community Safety Partnerships to set priorities for places.

5. Finance and Assets

In addition to the retention of business rates 'uplift' mentioned above, the proposal asks for five year financial settlements for the organisations and responsibilities covered in the devolution bid, and more freedom and flexibility around the use of capital receipts. In return, it offers a more joined-up approach to the allocation of resources, the pooling of certain budgets, and greater collaboration in the use (and disposal) of public sector property and assets.

4.0 Asset Based Community Development (ABCD) Considerations

- 4.1 There are numerous references to asset based community development approaches throughout the bid document, e.g. "We will...support a strength based approach to community safety" and "We will encourage schools and academies to be part of the process to reshape post-16 vocational training" and "We will deliver a step change in engagement with the voluntary and community sector through our

Enabling Active Communities Programme...[resulting in] reduced demand for public services support...[and putting] more people in control of their own care.”

4.2 These general statements of approach need to be built upon and developed as part of the next stage of work.

5.0 Alternative Options Considered

5.1 Gloucester City Council representatives on LG could have decided to withdraw their support for the devolution proposal submitted to government. However, they concluded that this would not be in the best interests of the people of Gloucester City.

6.0 Reasons for Recommendations

6.1 The Leaders of all the public organisations within LG are enthusiastic about the opportunities devolution may bring for Gloucestershire. They believe more can be achieved for Gloucestershire through having greater local power and decision-making.

7.0 Future Work and Conclusions

7.1 At the time of writing, LG are waiting for Ministers and Central Government Departments to indicate whether the Gloucestershire proposal has been selected for consideration as part of Spending Review 2015.

7.2 If the Gloucestershire bid is one of those selected for consideration, there will be an intense period of work over the next few months as negotiations take place between LG and Central Government representatives. LG agreed that the lead negotiation team should be Pete Bungard (representing local government), David Owen/Diane Savory (representing the LEP), Mary Hutton (representing the CCG) and Richard Bradley (representing the PCC), with Mark Hawthorne and Steve Jordan providing Member representation for the two tiers of local government respectively.

7.3 In parallel, there will be work associated with the proposed governance review. The outline timetable for this work is:

- A review of evidence - September-October 2015.
- Desk based research on possible future governance structures and summary of advantages and disadvantages - September-October 2015.
- Consultation and engagement with stakeholders on a preferred option (including all seven councils, the health community, the OPCC and the Constabulary, the LEP), parish and town councils, other local organisations, audit and governance Committees, the public - November-December 2015.
- Draft scheme prepared, including the detailed functions and responsibilities which would transfer – end-January 2016.
- Presented to individual councils and organisations for resolution - February-April 2016.
- Submit to government – end April 2016.
- Shadow arrangements – from May 2016.

- 7.4 It is proposed that the cross-party working group meet periodically during this period to monitor progress across all these elements of work.

8.0 Financial Implications

- 8.1 The financial implications of devolution are not yet known, as proposals are only at an early stage of discussion and development. The bid submitted to Government makes clear our expectation that any devolution deal (including any new governance arrangements) would have to be economically prudent, and capable of being delivered at no net additional cost to the taxpayer.
- 8.2 A number of officers and members have been involved in the development of the submitted bid proposals, and this contribution of time and effort is expected to continue over the next few months as proposals get refined and developed.

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

9.0 Legal Implications

- 9.1 The current legislation for establishing a combined authority is the Local Democracy, Economic Development and Construction Act 2009. A Cities and Local Government Devolution Bill is currently before the Houses of Parliament, when enacted this would provide enabling powers to permit the establishment of Combined Authorities with a greater range of powers than those that can be created under existing legislation.
- 9.2 It is expected that if a devolution deal is agreed, Government would need to bring forward a Statutory Instrument to create a new Combined Authority for Gloucestershire.

(One Legal have been consulted in the preparation this report.)

10.0 Risk & Opportunity Management Implications

- 10.1 These will be considered as part of the next stage of development of proposals.

11.0 People Impact Assessment (PIA):

- 11.1 A PIA Screening Stage has not yet been completed as proposals are only at an early stage of discussion and development.

12.0 Other Corporate Implications

Community Safety

- 12.1 See detailed text in the bid proposal document.

Sustainability

- 12.2 Some benefits would accrue through the 'asks' in the bid document relating to bringing forward flood alleviation programmes and schemes. Other benefits would

be achieved through greater collaboration around the use of public sector property and assets across the county.

Staffing & Trade Union

- 12.3 Staff have been briefed about the development of the bid proposals, at the same time as Members. Any staffing implications arising from the proposals are not yet known.

Press Release drafted/approved

- 12.4 A press release to coincide with the submission of the bid document was issued by Leadership Gloucestershire.

Background Documents: Web-links to relevant background documents included above.

This page is intentionally left blank

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 Smith to the Cabinet Member for Performance and Resources	Former Cabinet Member for Performance and Resources, Councillor Fred Wood, in consultation with officers gave me an assurance that all the DHP grant would be used in its entirety. Could you tell me whether that grant was used in full and if not, why not?
Response		
<p>The Council had planned to spend the entire budget for DHP during 2014/15. The applications tend to come in phases; however, the anticipated volumes early in the year suggested we would spend the whole allocation. In fact out of a budget of £252,658 the Council gave £177,310 in direct DHP awards and £12,152 in homelessness support and deposits totalling £189.462.</p> <p>The Council received 899 applications for DHP and 785 were awarded, representing 87% of applications being successful. Applications that were declined were entirely done so on the basis of income available to the household. Where a customer stated they received income above their expenditure we would consider if they have included all reasonable expenditure, for example, had the customer included enough expenditure for utilities etc. If, however, the customer included all reasonable expenditure then we would decline the application.</p> <p>The basis for declining applications is to protect the fund to make it available for those customers in most need of support.</p> <p>We widely promote the DHP fund through various methods including: partner organisations, including the Welfare Rights Team within Civica, our website and working with landlords to ensure their tenants are aware of the support available.</p> <p>We are aware that other Gloucestershire districts spend against their allocation of DHP are in line with ours, we have details of two districts exact figures for comparison. Gloucester City has had greater success in supporting customers in need by awarding slightly higher percentage of the funding at 75% compared to Cheltenham at 61% and Forest of Dean at 70%. (Cheltenham DHP spent £116,000 out of a £189,000 budget and Forest of Dean spent £79,065 out of a £112,585 budget).</p> <p>Gloucester City Council's aim is to support customers in need and to prevent homelessness and we continue to work with partners to achieve this aim through the sensible allocation of the DHP funding available.</p>		

2.	From Councillor Haigh to the Cabinet Member for Regeneration and Economy	Provide an update on the assets bought from SWRDA. Which have been sold and what has happened to any receipts? Which are on the market and how are they being marketed? What has happened to any income from the assets? What costs are associated with any of the assets? What is the status of any remaining assets which do not fall into any of the previous categories?
Response		
<p>The SWRDA assets that have been disposed of are as follows:-</p> <p>1 & 2 Albion Cottages have been disposed of on long leases at a peppercorn rent at a premium of £300,000. The capital receipt has enabled the Council to fund its capital works programme across the SWRDA portfolio.</p> <p>The SWRDA assets we are actively disposing of are as follows:-</p> <p>27-29 Commercial Road is long leasehold and is under offer subject to planning and the acquisition of the freehold interest from CRT. The Council are using Bruton Knowles to market the interest by private treaty but given the level of interest best and final offers were invited.</p> <p>Lower Ground Floor 23-25 Commercial Road – was under offer to let to a bar operator and Alder King are the Council’s agents. We are reconsidering this letting in the light of the larger disposal next door at 27-29 Commercial Road, to create a more comprehensive scheme.</p> <p>The Fleece (including the retail units fronting onto Westgate Street and the former Gloucester Academy of Music site) - this site is on the market with local agent Alder King by private treaty. It has been widely marketed but there are considerable obstacles and costs associated with its redevelopment. We are currently in discussions with two parties but given the complexity of the site progress is slow. A detailed building condition survey is in the process of being prepared.</p> <p>18 Commercial Road – the unit requires a full refurbishment but is suitable for letting, we have agreed terms to let the unit subject to the potential occupier securing the necessary funding. This building does have issues with asbestos which makes its occupation challenging.</p> <p>Barbican Car Park (including BT car park) – This is the subject of joint working with the County Council to promote a combined site including the County Council owned Quayside House. Concept master planning and other pre disposal work are being undertaken and it is not appropriate to market the interest at this stage. GFirst funding has been secured to derisk the site. Officers are in the process of appointing consultants, funded through grant, to bring forward a technical solution to the delivery of “shovel ready” plots.</p> <p>Southgate Mooring Car park – we have improved the payment system at the car park. Long term it represents a redevelopment opportunity but it is a popular well used park and provides parking for the visitors to the Docks especially the disabled.</p> <p>We are not actively marketing any other former SWRDA properties. The other assets are under the management of the City Council and the income is being paid to the regeneration account. The Council incurs the normal costs associated with holding the ex SWRDA properties (maintenance, rates, insurance etc), where possible these are passed onto the occupiers through the lease provisions and service charges and as with the income they are accounted for separately. The SWRDA portfolio is now in a position where it generates a surplus for the Council. The surplus for 14/15 was £153k and this was placed into a reserve earmarked for regeneration purposes.</p>		

	<p>The remaining assets not mentioned above are as follows:-</p> <p>3 Albion Cottages – used by Gloucester Docks Estate Management Ltd The Weighbridge – let to Mode (a barbers). 14 Commercial Road – let to The British legion 16 Commercial Road – let to The Royal Navy Association. 23-25 Commercial Road – upper floors let to Davy Law. Docks Headlease – managed by the Gloucester Docks Estates Company Ltd under the supervision of the City Council</p>	
3.	<p>From Councillor Haigh to the Cabinet Member for Regeneration and Economy</p>	<p>Residents and businesses in Gloucester Docks usually pay a service charge, are there any exemptions from this charge and if so what is the reason for that exemption?</p>
<p>Response</p>		
<p>All of the residents and businesses that fall under the Docks Head Lease pay service charge in accordance with the lease terms without exemptions. The only areas within the head lease that do not fall into the service charge provisions (copy lease plan attached) is the barge arm multi-storey car park (red), which is used for residents and business occupiers in the docks who already pay service charge on their properties and Mariners Church (pink). 3 Albion Cottages is used by Docks Management and is also excluded.</p>		
4.	<p>From Councillor Haigh to the Cabinet Member for Performance and Resources</p>	<p>Please provide the figures for the number of occasions the City Council or its agents (eg Civica) have instructed Bailiffs to collect from a. Individuals and b. Businesses by month for the past 3 years.</p> <p>What percentage of properties in the City were affected?</p> <p>What advice is offered to debtors before bailiffs are instructed? Are repayment arrangements offered?</p> <p>What charges do the enforcement agencies levy?</p> <p>What is the debt recovery rate (total in money and as a percentage of debt)?</p>
<p>Response</p>		
<p>1. Please provide the figures for the number of occasions the City Council or its agents (eg Civica) have instructed Bailiffs to collect from a. Individuals and b. Businesses by month for the past 3 years.</p> <p>The table below show the numbers of referrals the Council has made for each service stated.</p> <p>Please note in relation to the referrals for benefits overpayments there are no powers of “taking control of goods” and therefore the agents are only acting as collection agents with no powers of recovery.</p>		

Enforcement Agent Referrals

		Council Tax	NDR	Benefit Overpayments	Total
2014/2015	April	4	0	65	69
	May	23	0	42	65
	June	197	0	35	232
	July	1553	0	63	1616
	August	5	68	53	126
	September	1097	70	27	1194
	October	548	16	62	626
	November	260	6	57	323
	December	288	8	0	296
	January	88	0	80	168
	February	358	2	133	493
	March	0	0	0	0
	Total	4421	170	617	5208

2013/2014	April	256	7	30	293
	May	111	5	52	168
	June	266	16	26	308
	July	121	18	64	203
	August	1142	51	32	1225
	September	442	18	26	486
	October	289	0	3	292
	November	178	5	153	336
	December	430	11	95	536
	January	160	8	99	267
	February	537	25	50	612
	March	58	0	53	111
	Total	3990	164	683	4837

2012/2013	April	48	0	52	100
	May	84	7	50	141
	June	458	80	37	575
	July	94	2	25	121
	August	767	53	35	855
	September	575	21	42	638
	October	266	5	27	298
	November	531	9	45	585
	December	448	0	29	477
	January	453	7	67	527
	February	451	33	34	518
	March	216	0	54	270
	Total	4391	217	497	5105

2. What percentage of properties in the City were affected?

The figures above relate to the number of debts passed to agencies. This could include several accounts for one debtor and therefore would overstate the number of properties affected.

There are currently 55,833 domestic properties and 4,003 commercial properties in

the city.

3. *What advice is offered to debtors before bailiffs are instructed? Are repayment arrangements offered?*

These are the steps and advice offered to customers before being referred to any enforcement agents:

1. Bill – a bill is sent for the financial year providing (initially) 10 monthly instalments from April to January. There are various options of method of payment. The reverse of the bill offers advice to the customer on what to do if they cannot pay, and gives them our contact details:

Please contact us immediately. We can discuss a payment arrangement with you. We can also give you advice on whether you can claim any help to reduce the amount of the bill, such as Council Tax Support or discounts etc. We can also put you in contact with an independent debt counsellor for advice on helping you sort out your finances.

If you don't contact us or pay on time, the following will happen:

** A reminder is sent asking for the outstanding instalments to be paid by a certain date. If they are not paid the balance for the year becomes due.*

** A summons is issued for a hearing in the local Magistrates court. Unless there is a good reason why payment hasn't been made before the hearing, the Magistrates will issue an order, known as a liability order. Costs will be added if a summons is sent.*

** If a liability order is granted, costs will be added to your bill. A form will be sent shortly after the hearing giving you the opportunity to make an offer of payment.*

** After a liability order is granted, we can collect amounts due by either enforcement agents, payments direct from your wages/salary, or deductions from your Income Support/Job Seekers Allowance/Pension Credit or Employment and Support Allowance.*

** Ultimately, non payment of council tax can lead to insolvency, application for a charging order or a prison sentence.*

The leaflet sent with the bill provides, details of appeals against bandings, discounts, exemptions and relief's, paying by direct debit, what to do if you cannot pay, and council tax support.

2. Reminder - up to 2 reminders can be sent. Each clearly provides dates of when and how much the customer needs to pay to avoid further action. The reverse of the notice advises them of the consequences of non-payment and contact points.
3. Final Reminder (if not combined with reminder) - Clearly provides dates of when and how much the customer needs to pay to avoid further action. The reverse of the notice advises them of the consequences of non-payment and contact points.
4. Summons from the Magistrates Court – the reverse of the summons offers the customer the following information:
 - Why the summons has been sent
 - Attendance at court
 - What happens at court
 - Defences against a liability order being issued
 - What the council has to prove to the court in order to obtain the liability order

- The contact details should the customer have any enquiries

In addition the following leaflet is sent, which advises the customer what will happen if they do not contact us and how we can help them. The advice agencies details are included on the leaflet attached as an appendix.

5. The Court Hearing – officers are in attendance on the day of the Court hearing to make arrangements with any customers who attend.
6. Prior to any cases being referred to an enforcement agent - on a bulk upload all cases are checked for previous benefit or wages details to set up attachments, and any individual cases will be reviewed by officers.

4. What charges do the enforcement agencies levy?

Since 6 April 2014 the law regarding distress changed dramatically. This was brought in by the Government to standardise recovery of all types of enforcement, to control aggressive bailiffs and to empower and incentivise the creditor and enforcement agent to collect with a minimum of doorstep confrontation.

“Distress” is now formally known as “Taking Control of Goods” and “Bailiffs” are now “Enforcement Agents”. The legislation also set down the costs which could be charged:

Compliance stage	£75.00
Enforcement stage	£235.00 plus 7.5% for any sum exceeding £1500
Sale and disposal stage	£110.00 plus 7.5% for any sum exceeding £1500

The compliance fee can be charged for each debt, but where the agent is recovering more than one debt can only charge one enforcement cost.

5. What is the debt recovery rate (total in money and as a percentage of debt)?

Having taken this to mean the full amount being collected. In 2014/15 the total debt (not including court costs) amounted to:

- Council Tax £52,715,000 collected £50,982,000 Percentage 97%
- Business Rates £53,111,000 collected £51,836,000 Percentage 98%

5.	From Councillor Hansdot to the Cabinet Member for Communities and Neighbourhoods	What is this Council doing about the plight of refugees? How are we helping these people and how many families are we going to welcome into the city with our support?
Response		
<p>On 11th June 2015, the Leadership Team met to discuss Gloucester City’s potential to assist Syrian refugees affected by the ongoing conflict. Having been briefed by officers about the Government’s Syrian Vulnerable Person’s Relocation Programme it was determined that the Council should seek to help. I requested that officers examine the requirements to make an application to the scheme initially to support five families with the potential to assist five more.</p> <p>Typically families comprise four to six people. The Relocation Programme provides funding for one year and refugees have five years to remain in the UK with full access to public funds. At the time of writing only four or five local authorities have</p>		

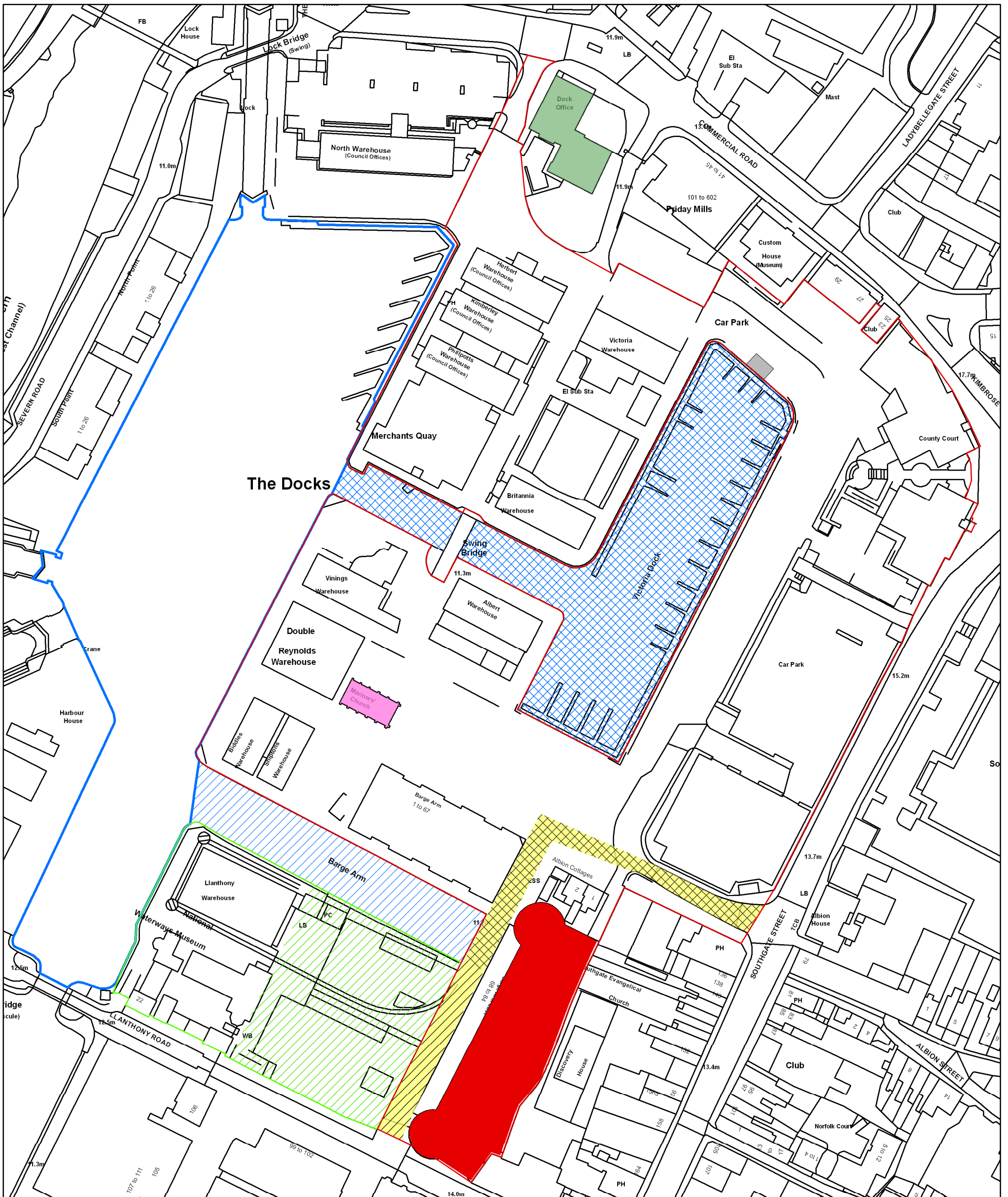
taken Syrian refugees under this Programme with a similar number well advanced to take families.

All Relocation Programme applications require that County Council and Health (for medical, social care and education purposes) are supportive. Following internal discussion, we wrote to and received positive responses from these organisations. Since then an implementation team has been established to take forward an application. This comprises Housing Strategy and Enabling officers, a private sector housing provider, the County Council, Gloucestershire Clinical Commissioning Group and GARAS (Gloucestershire Action for Refugees and Asylum Seekers). GARAS will undertake the main resettlement and support roles as the agent for the City Council. Suitable contracts between various parties will be put in place.

The team is compiling a budget proposal to the Home Office, which is a first part of any application (following gaining political support and partner engagement). When the initial budget is agreed, the Home Office sends the authority details of the families it would like it to take. Health and Education then assess whether it can meet each families' particular needs (they could have high medical requirements for example) and determine their budgets, which are then submitted to the Home Office. Once these second set of costs are agreed by the Government, we have been told that refugee families will be sent to the recipient authority normally within six to eight weeks.

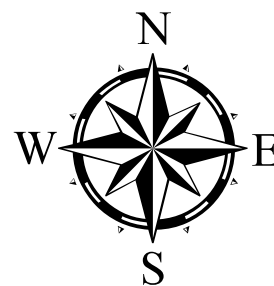
Since 7th September, plans are being considered to develop and submit a county-wide application, a decision on which is pending shortly. We also expect that the Government will ask local authorities to take a higher number of Syrian refugees. Therefore there might be a need to reconsider whether Gloucester City is able to accept more refugees (and whether current partner arrangements can continue in their present form).

This page is intentionally left blank



Gloucester Docks
(rev 16/04)

Date



1:1,250



GLOUCESTER
CITY COUNCIL

This page is intentionally left blank

IMPORTANT PLEASE READ

You can avoid further action by paying in full - by Debit or Credit card anytime on 0845 155 6000 or by cash at the Docks Offices between 9.00am and 5pm Mon – Fri.

If you do not contact us ...

Your case will be forwarded to the Enforcement Agents for collection without any further notification.

This will **immediately** add **£75.00** on to your account and in some cases the loss of your possessions. This could include your car, TV, DVD players, stereo, computers or games consoles and items of furniture. If the Enforcement Agents are unsuccessful in collecting the full amount from you this could lead to the ultimate sanction of committal to prison.

If you cannot pay in full contact us, we can offer the following help ...

A payment arrangement – contact the Revenues team immediately on 01452 396495 to negotiate a payment arrangement. You will be asked to provide your work or benefit details in order to set this up. As long as you pay as agreed these details will not be used.

Deductions from your benefit - We can apply to the Department for Works and Pensions to deduct payments straight from certain benefits and send them directly to us. Contact us immediately on 01452 396495 to find out more details about this.

Attachment to your Earnings. We can demand that your employer deducts payments from your wages and sends them straight to us. The amounts that will be deducted have been set by the Government and are a percentage of your net earnings. For more details contact us on 01452 396495

Other help and advice ... You may be able to get debt advice or help in reducing your bill but this will not always stop action on your council tax so please keep us informed by telephoning 01452 396495

Council Tax Support - You can apply online at www.gloucester.gov.uk/benefits
Or you can discuss an existing claim by phoning 01452 396440

Visit www.adviceglos.org.uk to find organisations providing free legal and financial advice in Gloucestershire or telephone.

Gloucester Citizens Advice Bureau –01452 527202

Gloucester Law Centre – 01452 423492

GL Communities –01452 505544 (*for people living in the Matson, Podsmead or White City areas*)

Gloucester City Revenues & Benefits, PO Box 2017, PERSHORE, WR10 9B

T: 01452 396495 • E: revenues@gloucester.gov.uk • www.gloucester.gov.uk

