



COUNCIL

MEETING : Thursday, 19th November 2015

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

Tanya Davies, Democratic and Electoral Services Manager

APOLOGIES : Cllrs. Smith and Chatterton

36. MINUTES

36.1 **RESOLVED** – That the minutes of the meeting held on 24 September 2015 be approved and signed by the Mayor as a correct record.

37. DECLARATIONS OF INTEREST

37.1 There were no declarations of interest.

38. PUBLIC QUESTION TIME (15 MINUTES)

38.1 Mr Paul Harries asked the Cabinet Member for Performance and Resources whether the Council would stand by while those in most need are denied their full benefits whether by the political agenda or by the Rent Officer or internally by the Housing Officer recommendations not being met by whoever gives out the discretionary housing payment.

38.2 Councillor D. Norman (Cabinet Member for Performance and Resources) thanked Mr Harries for his question and advised that he was not able to respond in respect of Mr Harries' own case. He gave assurances that the Council worked to ensure that housing benefit was paid at the correct level to all who were entitled to it. The Council was required to comply with the relevant regulations when making Rent

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Officer referrals; these could only be made every 52 weeks and could not be made early. The only exception was if there was a contractual increase in the terms of the tenancy. The final decision in relation to discretionary housing payments rested with the Council, and was made based upon the information provided by the applicant. He gave a commitment to ensuring that officers would contact Mr Harries regarding his personal case.

- 38.3 Ms Jean Grigg asked the Leader of the Council to carry out essential maintenance to the memorials for Anna McGurk in honour of Anna and those who worked with her.
- 38.4 Councillor James (Leader of the Council and Cabinet Member for Regeneration and Economy) thanked Ms Grigg for bringing the matter to the Council's attention and advised that he would ask officers to inspect the memorial and take any necessary maintenance action as a matter of urgency.
- 38.5 Mr Stephen McDonnell addressed the Council on behalf of Unison members and urged Members to support the Labour Group Notice of Motion, which objected to the Trade Union Bill currently passing through Parliament as it would result in the erosion of specific protections afforded to staff. He noted the positive relationship that Trade Unions had with Gloucester City Council and raised concerns about the impact the proposed legislation would have on this.
- 38.6 The Mayor noted that no specific question had been asked and advised Mr McDonnell that the matter would be debated later on the agenda.
- 38.7 Mr Peter Clarke highlighted concerns that the Trade Union Bill sought to prevent Trade Union members from having their subscription fees deducted from their salary and asked if the Council would agree to write to Richard Graham MP and call on him to object to those proposals when the Trade Union Bill reached the House of Commons.
- 38.8 The Mayor advised that the matter would be debated later on the agenda.
- 38.9 Councillor S. Witts declared a personal interest as she was a member of Unison.

39. PETITIONS AND DEPUTATIONS (15 MINUTES)

- 39.1 Ms Diane Gittings presented a petition signed by 298 people calling for the Council to prevent micro-chipped stray dogs from being automatically taken to Worcester for collection by owners, as provided for as part of the Council's new stray dog service.
- 39.2 Councillor Porter (Cabinet Member for Environment) thanked Ms Gittings for her petition and advised that he appreciated the concerns of dog owners. He explained that the new service would be kept under review over the next 12 months to ensure that it was meeting the Council's expectations and that individuals were not disadvantaged by the changes.

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40. ANNOUNCEMENTS

Mayor

- 40.1 The Mayor noted the sad death of Martin Blakeley, husband of former Councillor Sue Blakeley and consort to her during her time as Mayor and Sheriff, and offered the Council's condolences to his family.
- 40.2 The Mayor announced that Alan Myatt, the City's Town Crier for 27 years, had agreed to accept his nomination to become an Honorary Freeman of the City of Gloucester. A special meeting to confer the honour would take place immediately prior to the scheduled Council meeting on 28 January 2016.
- 40.3 The Mayor advised that a book of condolence had been set up in the main reception for Members and residents to express their sentiments to those affected by the terror attacks in Paris on 13 November 2015. He reported that he had personally offered his condolences to the Mayor of Metz, one of Gloucester's Twin Cities, and had received a response.
- 40.4 The Mayor noted that the Council's annual children's Christmas party would take place on 12 December 2015 and he encouraged Members to allocate their tickets as soon as possible and return any unallocated tickets to the Corporate Support Team.

Leader of the Council

- 40.5 Councillor James thanked all those involved in making the Rugby World Cup a success for the City and reported details of the praise received, including from Sports Minister Tracey Crouch.

Cabinet Members

- 40.6 Councillor D. Norman noted the recent IT issues and reported that a business case was being brought forward to progress the upgrade to a cloud-based service, which would resolve the email synchronisation issues. It was anticipated that the upgrade would be completed early in the new year.
- 40.7 Councillor Porter reported the positive news that Barnwood Park and Arboretum had been shortlisted for an award for the Best Park in the Country.
- 40.8 Councillor Noakes (Cabinet Member for Culture and Leisure) invited Members to attend an event at the Ed Shed at 10.00am on 24 November 2015 to have their say in the rebranding of the City's museums.
- 40.9 Councillor Noakes urged Members to vote for The Guildhall in the NME award for the Best Small Venue as winning would result in publicity and a high-profile band playing at the venue.

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Chairs of Committees

- 40.10 Councillor Lugg (Chair of the Overview and Scrutiny Committee) invited all Members to attend the Budget meeting of the Overview and Scrutiny on 7 December 2015.

Head of Paid Service

- 40.11 Jon McGinty announced the departure of Martin Shields, Corporate Director of Services and Neighbourhoods. He thanked Martin for his work on a number of significant projects during his time at the Council and wished him well in his new position at Bath and North East Somerset Council.

41. MEMBERS' QUESTION TIME

Leader and Cabinet Members' Question Time

- 41.1 Councillor Haigh (Leader of the Labour Group) asked the Leader of the Council if he agreed that Gloucester City Council was following the best practice of Conservative Councils by making back office savings and whether he would be writing to the Prime Minister to request a meeting with the No 10 Policy Unit to seek assistance with how best to make those savings.
- 41.2 Councillor James stated that the Prime Minister expected Councils to deliver more for less and that he did not feel a need to seek any support because Gloucester City Council was already following the approach expected by the Prime Minister by joining up back office services.
- 41.3 Councillor Haigh asked if the Leader was unwise not to seek advice from the No 10 Policy Unit given that other Councils were doing so, despite having also made savings in respect of back office services.
- 41.4 Councillor James responded that, while the Council was always open to listening to new ideas, best practice was being followed through the joining up and sharing of services and he was confident that the Council was moving in the right direction.
- 41.5 Councillor Haigh highlighted concerns about the Housing Bill passing through Parliament and in particular proposed powers to levy councils to provide funding for the right to buy proposals, which would directly impact upon the contractual and financial settlement made by the Council with the government when the Council transferred its housing stock; she asked the Cabinet Member for Housing and Planning if he was prepared to write to the Housing Minister and ask him to temper his powers.
- 41.6 Councillor Organ (Cabinet Member for Housing and Planning) stated that the Bill was in its early stages and that its main objective was to increase the number of new homes built in the UK and to improve the passage of home ownership, standards, and availability in all sectors and in all tenures. It was important for all areas to have their own strategies in place to focus on the needs of their communities. Gloucester needed new homes of the right quality and in the right

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locations and the right to buy should be extended to all those who wished to do so. He explained that the move was towards home ownership and new homes being built on brownfield sites and that the money coming from the proposals would be put into affordable homes and would hopefully increase the City's housing stock.

- 41.7 Councillor Haigh stated that the ability to build affordable and social housing would be damaged by the Bill and asked the Cabinet Member if he would write to the Housing Minister and ask him to protect the abilities of Councils and registered social landlords to build affordable housing.
- 41.8 Councillor Organ stated that he would not be writing to the Housing Minister at the present time and it was necessary to understand the details and full implications of the Bill, but that the Council would seek to make the right decisions for Gloucester as outlined in the Joint Core Strategy.
- 41.9 Councillor Hilton (Leader of the Liberal Democrat Group) asked the Leader of the Council if he could confirm the details of the anchor store for the Kings Quarter scheme and whether they would be a new retailer to the City.
- 41.10 Councillor James advised that Councillor Hilton had recently been briefed on progress with Kings Quarter and was fully aware that it was not appropriate to disclose the details in a public meeting at the present time.
- 41.11 Councillor Hilton asked the Leader of the Council whether it was now time to begin looking at alternative options in the event that the proposed scheme could not be progressed.
- 41.12 Councillor James stated that all Councillors knew that they should refrain from commenting on commercially sensitive matters because of the risk of litigation.
- 41.13 Councillor Hilton asked the Leader of the Council if he agreed with the recent vote by the House of Lords to support giving 16 and 17 year olds the opportunity to vote in the EU referendum.
- 41.14 Councillor James stated that how the House of Lords voted was not his concern.
- 41.15 Councillor Hilton asked whether he agreed that 16 and 17 year olds should be permitted to vote as they would be affected by the outcome.
- 41.16 Councillor James stated that Question Time should be used to deal with matters specifically affecting Gloucester.
- 41.17 Councillor McLellan asked the Cabinet Member for Environment if he would explore the possibility of bringing in a byelaw to combat the issue of dogs off leads scaring the animals grazing naturally in Barnwood Arboretum.
- 41.18 Councillor Porter concurred that a byelaw may resolve the matter and agreed to ask officers to look into it.
- 41.19 Councillor McLellan asked whether the Cabinet Member would consider introducing an appropriate byelaw in all relevant areas of the City.

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- 41.20 Councillor Porter advised that he would look at appropriate solutions for all open spaces where natural grazing took place.
- 41.21 Councillor Hobbs asked the Cabinet Member for Environment to give assurances that Amey Highways would be in attendance at all scheduled deep cleans in the City.
- 41.22 Councillor Porter explained that he had only recently become aware that attendance by Highways was not always happening; he advised that officers were exploring the issue to ensure that all parties were working together.
- 41.23 Councillor Hampson wished to record his thanks to staff at the Coney Hill Crematorium on behalf of himself and his family for they had service received recently.

He asked the Cabinet Member for Performance and Resources whether there were any plans to notify and inform residents about the devolution proposals.

- 41.24 Councillor D. Norman noted that a briefing event had taken place for all Members and that similar questions had been raised. He advised that, as the process gathered pace, there would a range of opportunities to communicate the proposals to residents and he highlighted the role Councillors should be playing in their own communities.
- 41.25 Councillor Hampson noted concerns about the democratic deficit within the proposed combined authority and asked how much say Gloucester City Council would have in devolved services.
- 41.26 Councillor D. Norman explained that the question would be answered as the process moved forward, but that he hoped that elected Members would be the driving force.

42. POLLING DISTRICT AND POLLING PLACES REVIEW 2015

- 42.1 Council considered a report of the Returning Officer concerning recommendations for the 2015 Polling District and Polling Places Review.
- 42.2 Councillor Hilton moved the recommendations set out in the report and explained that the review was undertaken as a result of the electoral boundary review that would come into effect in May 2016. He advised that polling districts had been tidied up and that Members of the Constitutional and Electoral Working Group had agreed that voters should expect to vote in the same polling at each of the different elections, with polling stations being agreed on that basis. He noted that decisions on a number of polling stations remained outstanding and that the Returning Officer would resolve those matters in advance of the May elections.
- 42.3 Councillor Haigh seconded the motion.
- 42.4 Councillor Tracey asked how the Council would obtain the views of electors in Polling District W3 with regard to their preferred polling station location. She

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questioned whether the Extra Care Village at St Oswalds was the best location given that many of the electors in the area were registered for an absent vote.

- 42.5 Councillor Hansdot advised that he had informed officers of two further alternative locations for the polling station in Polling District BT5 and that visits would take place to assess their suitability.
- 42.6 Councillor McLellan asked his ward Councillor colleagues for Barnwood to give officers their views on creating a new polling district to enable electors on the Clock Tower Estate to vote at Abbeymead School.
- 42.7 Councillor Patel highlighted concerns about moving the polling station for Polling District BT5 to the Trust Centre on Conduit Street due to the lack of parking and the availability of only one lift; he requested that the polling station remain at Tredworth Junior School to prevent voter confusion. He noted that many residents had been advised that their postal vote had not been counted after the 2015 elections because their personal identifiers had not matched the Council's records; he stated that efforts should be made to contact the affected voters and allow them to rectify the situation ahead of polling day.
- 42.8 Councillor Haigh stated that efforts should be made to avoid using schools as polling stations, particularly where they had objected, and that alternative venues should be found. She added that voter confusion was not a significant factor as polling stations had changed frequently in some wards, but that the intention was that the decisions made for the May 2016 elections would remain in place for the foreseeable future.
- 42.9 Councillor Hilton asked the Returning to consider the alternatives options provided in respect of Polling Districts BT5 and W3 and choose the most appropriate locations after listening to the views of Members. In response to Councillor Patel's comments regarding failed postal votes, he advised that election law required postal vote identifiers to be completely correct and that no exceptions could or should be made.

42.10 **RESOLVED –**

- (1) That the proposals for the 2015 Polling District and Polling Places Review be approved.
- (2) That the Returning Officer's decisions regarding polling station arrangements be noted, subject to final decisions being made in respect of Polling Districts BT5 and W3.

43. REVISED STATEMENT OF PRINCIPLES - GAMBLING ACT 2005

- 43.1 Council considered a report of the Head of Public Protection concerning the outcome of a consultation exercise undertaken with stakeholders in relation to the 2016-2019 Gambling Act 2005 Statement of Principles and seeking formal approval and adoption by Council.

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- 43.2 Councillor Randle (Chair of the Licensing and Enforcement Committee) moved the recommendations set out in the report and summarised the consultation responses received. She noted that it was not possible to include membership of City Safe as a condition for granting gambling licences, but that it had been included as a recommendation in the Statement of Principles.
- 43.3 Councillor Patel (Vice Chair of the Licensing and Enforcement Committee) seconded the motion.
- 43.4 Councillor Pullen stated that the Asset Based Community Development (ABCD) implications within the report were irrelevant as the Council was fulfilling its statutory duty to consult upon and adopt a Statement of Principles.
- 43.5 Councillor Haigh highlighted concerns that the legislation did not give local authorities adequate powers to deal with the proliferation of high stakes fixed odds betting terminals, which presented a significant issue for vulnerable residents. She stated that appropriate secondary legislation should be enacted.
- 43.6 Councillor Dallimore (Cabinet Member for Communities and Neighbourhoods) advised that all reports now contained a section on ABCD and, while it may be less relevant in some reports, it was important to note that the views of residents had been sought. She stated that the Council took its duty to protect vulnerable residents seriously, but explained that research had not demonstrated any causal link between fixed odds betting terminals and gambling problems; however, the relevant responsible bodies were monitoring the matter and secondary legislation could be brought in if it became necessary.
- 43.7 **RESOLVED** - That the Statement of Principles 2016-2019 – Gambling Act 2005 as set out in Appendix 1 be adopted and that the Head of Public Protection be authorised to publish and advertise it.

44. NOTICES OF MOTION

(1) Notice of Motion from the Liberal Democrat Group

- 44.1 Moved by Councillor Hilton and seconded by Councillor Brown:

"This council notes with great disappointment the Cabinet Member for the Environment's decision to sanction the installation of advertising boards on roundabouts across the city.

This council believes these advertising boards are tacky and unsightly; blighting some well-kept roundabouts.

The council also believes these advertising boards could be a distraction to motorists and present an unnecessary hazard to motorcyclists.

This council, therefore, requests the Cabinet Member for the Environment to instruct officers of this council to have these advertising boards removed immediately from roundabouts within the city council boundaries."

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44.2 The motion was put to the vote and was lost.

(2) Notice of Motion from the Conservative Group

44.3 The motion was not moved.

(3) Notice of Motion from the Labour Group

44.4 Moved by Councillor Haigh and seconded by Councillor Pullen:

“That this Council recognises the positive contribution that trade unions and trade union members make in our workplaces. This Council values the constructive relationship that we have with our trade unions and we recognise their commitment, and the commitment of all our staff, to the delivery of good quality public services.

This Council notes with concern the Trade Union Bill which is currently being proposed by the Government and which would affect this Council’s relationship with our trade unions and our workforce as a whole. This Council rejects this Bill’s attack on local democracy and the attack on our right to manage our own affairs.

This Council is clear that facility time, negotiated and agreed by us and our trade unions to suit our own specific needs, has a valuable role to play in the creation of good quality and responsive local services. Facility time should not be determined or controlled by Government in London.

This Council is happy with the arrangements we currently have in place for deducting trade union membership subscriptions through our payroll. We see this as an important part of our positive industrial relations and a cheap and easy to administer system that supports our staff. This system is an administrative matter for the Council and should not be interfered with by the UK Government.

This Council further resolves to seek to continue its own locally agreed industrial relations strategy and will take every measure possible to maintain its autonomy with regard to facility time and the continuing use of check-off.”

44.5 The motion was put to the vote and was lost.

(4) Notice of Motion from the Labour Group

44.6 Moved by Councillor Haigh and seconded by Councillor Lugg:

“Council notes that Small Business Saturday falls on 5 Dec 2015. In recent years the County Council have unilaterally suspended all on street parking charges to support city centre businesses. The City Council has responded in a limited way with some carparks free on the day but not all the carparks we own and operate. This Council believes it is in the interests of the City, businesses and residents, to fully support Small Business Saturday and calls upon the Leader to suspend all parking charges in Council owned and operated carparks on 5th Dec.”

44.7 Councillor James moved the following amendment, which was seconded by Councillor Dallimore:

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“This Council:

- notes that Small Business Saturday falls on 5 December 2015.;
- ~~In recent years~~ **further notes that** the County Council ~~have unilaterally~~ **are suspending** all on street parking charges to support city centre businesses **within the existing waiting time of two hours.;** ~~The City Council has responded in a limited way with some carparks free on the day but not all the carparks we own and operate. This Council believes it is in the interests of the City, businesses and residents, to fully support Small Business Saturday and calls upon the Leader to suspend all parking charges in Council owned and operated carparks on 5th Dec.~~
- **notes that the Leader has proposed to suspend charges in Station Road, Hare Lane North, Westgate and Barbican car parks after 10am on 5th December;**
- **supports the work being done by the City Council’s Economic Development Team and Marketing Gloucester to promote independent businesses in the city for Small Business Saturday and throughout the year.”**

44.8 Councillor Haigh did not accept the amendment and stated that she considered it to be negatory.

44.9 Following receipt of advice from the Council’s Monitoring Officer, the Mayor ruled that amendment was not negatory.

44.10 Councillor Haigh withdrew the motion.

(5) Notice of Motion from the Conservative Group

44.11 Moved by Councillor Patel and seconded by Councillor Toleman:

“This Council:

- believes that the Barton Street Conservation Area status has been helpful and beneficial to the enhancement of Barton Street since 2007, partly thanks to grants that were available a few years ago for building and shop frontage improvements;
- notes that Conservation Area status can result in additional costs and restrictions as well as benefits and should be reviewed regularly to ensure it remains appropriate;
- instructs Officers, as part of the development of a City Plan, to undertake a review the designated Conservation Area status in Barton Street and thereafter other conservation areas within the city, to assess the pros and cons that they bring and enables the Council to focus on the best of our heritage assets at a time of limited resources.”

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44.12 Councillor Hilton moved the following amendment, which was seconded by Councillor McLellan:

“This Council:

- believes that the Barton Street Conservation Area status has been helpful and beneficial to the enhancement of Barton Street since 2007, partly thanks to grants that were available a few years ago for building and shop frontage improvements;
- notes that Conservation Area status can result in additional costs and restrictions as well as benefits and should be reviewed regularly to ensure it remains appropriate;
- instructs Officers, as part of the development of a City Plan, to undertake a review the designated Conservation Area status in Barton Street and thereafter ~~other conservation areas within the city, to assess the pros and cons that they bring and enables the Council to focus on the best of our heritage assets at a time of limited resources.~~”

44.13 Councillor Patel did not accept the amendment.

44.14 The amendment was put to the vote and was lost.

44.15 Councillor Taylor moved the following amendment, which was seconded by Councillor James:

“This Council:

- believes that the Barton Street Conservation Area status has been helpful and beneficial to the enhancement of Barton Street since 2007, partly thanks to grants that were available a few years ago for building and shop frontage improvements;
- notes that Conservation Area status can result in additional costs and restrictions as well as benefits and should be reviewed regularly to ensure it remains appropriate;
- instructs Officers, as part of the development of a City Plan, to undertake a review the designated Conservation Area status in Barton Street and thereafter ~~other conservation areas within the city, to assess the pros and cons that they bring and enables the Council to focus on the best of our heritage assets at a time of limited resources~~ **if necessary.**”

44.16 Councillor Haigh stated that Councillor Taylor’s amendment was substantially the same as Councillor Hilton’s amendment.

44.17 Following receipt of advice from the Council’s Monitoring Officer, the Mayor ruled that amendment was not substantially the same as the previous amendment.

44.18 The amendment was put to the vote and was carried.

44.19 The following motion, as amended, was put to the vote and was carried:

“This Council:

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- believes that the Barton Street Conservation Area status has been helpful and beneficial to the enhancement of Barton Street since 2007, partly thanks to grants that were available a few years ago for building and shop frontage improvements;
- notes that Conservation Area status can result in additional costs and restrictions as well as benefits and should be reviewed regularly to ensure it remains appropriate;
- instructs Officers, as part of the development of a City Plan, to undertake a review the designated Conservation Area status in Barton Street and thereafter other conservation areas within the city if necessary.”

45. WRITTEN QUESTIONS TO CABINET MEMBERS

45.1 No supplementary question was posed.

45.2 **RESOLVED** – That the written question submitted and corresponding response be noted.

Time of commencement: 7.00 pm hours

Time of conclusion: 9.55 pm hours

Chair