



COUNCIL

MEETING : Thursday, 21st July 2016

PRESENT : Cllrs. Hampson (Mayor), Hansdot (Sheriff & Deputy Mayor), James, Dallimore, Noakes, D. Norman, Organ, Haigh, Hilton, Gravells, Tracey, Stephens, Lugg, Hanman, Lewis, Morgan, Wilson, Bhaimia, Williams, D. Brown, Dee, Taylor, Toleman, Pullen, H. Norman, Pearsall, Brazil, J. Brown, Cook, Coole, Fearn, Hawthorne, Hyman, Melvin, Ryall and Smith

Others in Attendance

Jon McGinty, Managing Director

Anne Brinkhoff, Corporate Director

Jonathan Lund, Corporate Director

Jon Topping, Head of Finance

Shirin Wotherspoon, Solicitor

Tanya Davies, Democratic and Electoral Services Manager

APOLOGIES : Cllrs. Porter, Patel and Finnegan

14. MINUTES

14.1 Councillor Haigh (Leader of the Labour Group) stated that she accepted that the minutes of the meeting held on 30 June 2016 were a correct record, but asked that a formal note be made of the tributes and one minutes silence conducted in honour of Jo Cox MP and former Councillor Rose Workman prior to the start of the meeting. She requested that steps be taken to ensure that such events form part of the formal agenda in future to enable them to be properly recorded in the minutes.

14.2 **RESOLVED** – That the minutes of the meetings held on 23 May and 30 June 2016, be approved and signed by the Mayor.

15. DECLARATIONS OF INTEREST

15.1 There were no declarations of interest.

16. PUBLIC QUESTION TIME (15 MINUTES)

16.1 There were no public questions.

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17. PETITIONS AND DEPUTATIONS (15 MINUTES)

17.1 There were no petitions or deputations.

18. ANNOUNCEMENTS

Mayor

18.1 The Mayor presented certificates to the following Councillors in recognition of their long service:

- Councillor Paul James (20 years)
- Councillor Kevin Stephens (20 years)
- Councillor Jeremy Hilton (21 years)
- Former Councillor Phil McLellan (22 years)
- Former Councillor Mary Smith (22 years)
- Councillor Pam Tracey (24 years)

The Mayor noted that the only serving Councillor who had served for longer than Councillor Tracey was Councillor Andrew Gravells (31 years) and that he had previously received a certificate.

Leader of the Council

18.2 On behalf of the Cabinet Member for Environment, Councillor James (Leader of the Council) reported that 44.34% of waste collected in June had been recycled, along with 5% of waste deposited at Hempsted Household Recycling Centre. 271 tonnes of food waste had also been recycled, which was 45% higher than in June 2015. He praised both staff and residents for achieving such high rates.

18.3 Councillor James announced that the Council had received a letter from Rory Stewart MP, the former Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs, to congratulate all those involved in the Clean for the Queen initiative ahead of the Queen's 90th Birthday celebrations. He advised that the letter would be circulated to all Members.

Cabinet Members

18.4 Councillor Dallimore (Deputy Leader of the Council and Cabinet Member for Communities and Neighbourhoods) highlighted the launch of the Best Bar None Awards 2016 and noted the Council's success in the previous year. She asked Members to encourage community pubs in their wards to put themselves forward in the dedicated new category and noted that Members may wish to use their Councillors' Community Fund to pay the £50 entrance fee.

18.5 Councillor Organ (Cabinet Member for Housing and Planning) highlighted the 150th anniversary of Fielding and Platt and summarised the important contributions they had made to engineering and the life of the City.

18.6 Councillor Organ acknowledged the upcoming Retro Festival on 27 August 2016 and encouraged all Members to attend.

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- 18.7 Councillor Organ announced that Barnwood Park and Arboretum and Robinswood Hill Country Park had been awarded Green Flag status and congratulated all those involved.
- 18.8 Councillor Noakes (Cabinet Member for Culture and Leisure) reminded those Members attending the Carnival on 23 July 2016 that a bus would transport Members from the Three Choirs Opening Ceremony.

19. MEMBERS' QUESTION TIME

Cabinet Members' Question Time

- 19.1 Councillor Haigh asked the Cabinet Member for Housing and Planning whether, in light of the recommendations of the Task and Finish Group on standards in the private rented sector, consideration had been given to introducing special licensing powers for HMOs and other properties in the private rented sector where there were issues.
- 19.2 Councillor Organ congratulated those involved in the Task and Finish Group and the subsequent prosecutions. He advised that careful consideration would be given to a forthcoming government directive about licensing such properties.
- 19.3 Councillor Haigh stated that seven months had already passed and asked whether, if the directive was not published soon, the Cabinet Member would consider using existing powers to ensure that homes were safe and decent.
- 19.4 Councillor Organ advised that he would consider using existing powers.
- 19.5 Councillor Haigh asked the Leader of the Council to brief Members on the impact of Brexit on devolution proposals.
- 19.6 Councillor James advised that Councillor D. Norman was the lead Member for devolution and that Members would be briefed as soon as there was information available to be shared.
- 19.7 Councillor Haigh asked whether it was more likely that a devolution deal would be linked to a requirement for a directly-elected Mayor.
- 19.8 Councillor James stated that it was not possible to speculate about the likely governance arrangements, but agreed to address the matter when more information became available.
- 19.9 Councillor Hilton asked the Leader of the Council if he agreed about the importance of ensuring that EU nationals resident in Gloucester would be allowed to remain in the UK following the EU referendum result.
- 19.10 Councillor James advised that he shared the view of the Prime Minister that the rights of EU nationals to remain in the UK and the rights of UK nationals living in the EU needed to be respected.

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- 19.11 Councillor Hilton asked if the Leader would write to the Prime Minister to seek a guarantee that EU nationals living in Gloucester would be able to stay in the City.
- 19.12 Councillor James advised that he would raise the matter with the City's MP, Richard Graham.
- 19.13 Councillor Hilton asked the Cabinet Member for Culture and Leisure whether the agendas and minutes of the Interim Culture Board would be made public.
- 19.14 Councillor Noakes stated that there were currently no formal papers to publish as work was focused on formally recruiting to the Board. She reported that the agenda for the last meeting of the Interim Board was concerned with ensuring that the recruitment process proceeded in an engaging manner in order to attract suitable applicants. She stated that, once the Board was formally constituted, papers could be made available for publication.
- 19.15 Councillor Hilton asked the Cabinet Member to provide Members with a written account of the recruitment process.
- 19.16 Councillor Noakes advised that the recruitment pack and dates for roadshows would be shared with all Members and asked Members to encourage suitable individuals to apply.
- 19.17 Councillor Wilson asked the Cabinet Member for Communities and Neighbourhoods what the Council was doing to ensure that Gloucester Park was safer at night.
- 19.18 Councillor Dallimore stated that she was horrified to hear of the recent incident in the park and advised that a number of improvements had been made recently, including CCTV and environmental work to make the areas more open. She advised that there would be a general increase in police patrols and that the principles of the recently approved Safe and Attractive Streets Policy applied equally to the park. She stated that she did not want people to stop using the park and highlighted the events and facilities available; she pledged to continue working with partners to further improve safety.
- 19.19 Councillor Pullen asked the Cabinet Member for Environment if it was acceptable for shredded metal to have been left behind when the grass was recently cut at Parry Field, preventing the local children's football team from using the pitch.
- 19.20 On behalf of the Cabinet Member for Environment, Councillor James stated that it was not acceptable. He undertook to raise it with Amey, the Council's service provider and provide a written response. He asked Councillor Pullen to pass on his apologies to those affected.
- 19.21 Councillor Pullen advised of a further incident that resulted in a young person twisting their ankle due to the nature in which the grass had been cut and he asked the Leader if he agreed that the contract was being delivered poorly by poorly trained staff.

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- 19.22 Councillor James advised that he did know the detail of the incidents raised and that he provide a full written response after further investigation.
- 19.23 Councillor J. Brown asked the Cabinet Member for Environment way, more than two weeks after the sign in Barnwood Park that identified the 'dogs on leads' area had been vandalised, it had not been replaced.
- 19.24 On behalf of the Cabinet Member for Environment, Councillor Noakes explained that she had requested that the sign not be replaced in order for proper consultation on the designation of a 'dogs on leads' area to take place. She advised that Councillor J. Brown had been invited to attend a meeting with officers and that she hoped to bring the matter to a satisfactory conclusion.
- 19.25 Councillor J. Brown stated that she was not able to attend the meeting and asked why, if the proper legal process had been followed, was consultation now necessary, or why, if consultation was required, had it not taken place.
- 19.26 Councillor Noakes advised that normal practice was to consult on such matters irrespective of the legal requirements and that she could not comment on why consultation was not undertaken. She stated that it was necessary to ensure that enforcement was possible before making such a designation.
- 19.27 Councillor Stephens asked the Cabinet Member for Environment to carry out an urgent review of the seagull menace in the City and update the Council's website with the current advice to residents. He added that the current programme had resulted in success for commercial areas causing an adverse effect on residential areas and that the Council should review the need for practical help for residents in tackling the issue.
- 19.28 On behalf of the Cabinet Member for Environment, Councillor James noted that the budget for gull control work had been substantially increased and that a new contract had been in place for a year. He agreed that it was right to review its success and look at the specific issues raised whilst keeping in mind the practical and financial limitations. He undertook to instruct officers to update the Council's website.
- 19.29 Councillor Stephens asked for details of the timescales for a review.
- 19.30 Councillor James advised that he would ask officers to provide Councillor Stephens with the timescales.
- 19.31 Councillor Morgan asked the Cabinet Member for Housing and Leisure what steps he planned to take in respect of prolonged inaction on development sites across the City.
- 19.32 Councillor Organ stated that there was no easy solution because, although it was in no one's interest to leave sites undeveloped, developers were subject to a number of challenging factors in respect of finance and changes in the market. He advised that there was no single solution, but that maintaining communication on both sides was key to encouraging progress.

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- 19.33 Councillor Morgan asked the Cabinet Member to consider how to communicate with the public in respect of sites that remain undeveloped.
- 19.34 Councillor Organ advised that there were some issues of confidentiality, but that it was desirable to keep the public informed and provide opportunities to comment where possible; he explained that work with the Planning team on such matters was ongoing.
- 19.35 Councillor Fearn asked the Cabinet Member for Performance and Resources to give assurances that jobs would be protected in light of the Council's £1 million savings target.
- 19.36 Councillor D. Norman (Cabinet Member for Performance and Resources) advised that he could not give any guarantees about jobs because all non-statutory services would be scrutinised in the pursuit of the required savings in order to identify ways of doing things differently.
- 19.37 Councillor Fearn asked whether Members' Allowances should be considered as part of the savings exercise.
- 19.38 Councillor D. Norman responded that Members should consider how they might contribute to the savings required and think about opportunities for maximising income.

Questions to Chairs of Committees

- 19.39 There were no questions to Chairs of Committees.

20. DESIGNATION OF MONITORING OFFICER

- 20.1 Council considered a report of the Head of Paid Service concerning the designation of a new Monitoring Officer.
- 20.2 Councillor James moved the recommendations set out in the report and advised that Jonathan Lund had eight years' experience in the role of Monitoring Officer and that his appointment would save the Council £20,000. He thanked Shirin Wotherspoon for her work during her time in the role.
- 20.3 Councillor Dallimore seconded the motion.
- 20.4 Councillor Hilton reported that the Senior Appointments Committee had unanimously agreed to support Jonathan Lund's appointment in light of his experience and the subsequent savings. He thanked Shirin Wotherspoon and asked whether the £20,000 represented new savings or were already part of the budget.
- 20.5 Councillor Haigh echoed the thanks paid to Shirin Wotherspoon and stated that she supported the appointment on the proviso that independent legal advice would continue to be available.

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20.6 Councillor James confirmed that the £20,000 represented new savings that would help towards achieving the challenging savings targets that the Council had to meet.

20.7 **RESOLVED –**

(1) That Jonathan Lund, Corporate Director, be designated as Monitoring Officer for the City Council in accordance with section 5 of the Local Government and Housing Act 1989 with immediate effect.

(2) That authority be delegated to the Monitoring Officer to vary the secondment agreement between Gloucester City Council, Tewkesbury Borough Council (One Legal) and Shirin Wotherspoon to provide legal advice and related services to the Monitoring Officer including, but not only, the services of a legally qualified Deputy Monitoring Officer.

21. RECOGNISING GOOD SERVICE TO THE CITY

21.1 Council consider a report of the Democratic and Electoral Services Manager concerning proposals for processes and assessment criteria for the various mechanisms for recognising good service to the City and/or the Council.

21.2 Councillor Morgan (Chair of the General Purposes Committee) moved the recommendations set out in the report. He stated that Gloucester had a long history of recognising public service and that it was important to acknowledge people's strengths and hard work. He advised that the proposals sought to formalise the Council's processes and increase transparency.

21.3 Councillor H. Norman seconded the motion.

21.4 Councillor Haigh moved an amendment, which was seconded by Councillor Pullen, to delete recommendation (4), which proposed a protocol for the appointment of Honorary Aldermen. She explained that the Council had not suffered from its lack of Honorary Aldermen and that the existing mechanisms for rewarding and honouring exemplary service were sufficient. She stated that utilising the powers would raise expectations and create challenges for those tasked with agreeing appointments.

21.5 Councillor Morgan did not accept the amendment.

21.6 Councillor James stated that appointing Honorary Aldermen was a good way of recognising exemplary service in an historic city such as Gloucester. He explained that the appointment did not come with any privileges and there would be no cost to the Council. He noted that the Council already had the power to make such appointments, therefore it was appropriate to have protocol.

21.7 Councillor Hilton stated that the title of Honorary Alderman was outdated and that the existing mechanisms were adequate. He noted that Councillors who had stood down in the past had missed out the opportunity to be nominated and that the Council should not begin judging Councillors' contributions.

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- 21.8 Councillor Gravells advised that the system of Honorary Alderman appointments at Gloucestershire County Council worked well; it was not a political matter and was a good way for former Councillors to maintain their link with the Council.
- 21.9 Councillor Pullen stated that the title had no real purpose and was therefore unnecessary. He commented that the privilege of representing the people of Gloucester was enough of a reward.
- 21.10 Councillor Morgan remarked that the opinions given on the appointment of Honorary Aldermen were disappointing as it would add to the civic life of the City and provide an additional option for recognising exemplary service.
- 21.11 The amendment was put to the vote and was lost.
- 21.12 Councillor Lugg moved an amendment, which was seconded by Councillor Smith, to delete paragraph 4 under 'Entitlements' in Appendix 4. She explained that there was an existing precedent for former Mayors to stand in for the Civics as and when required.
- 21.13 Councillor Morgan did not accept the amendment.
- 21.14 Councillor James advised that there was no suggestion that the existing precedent would be changed; it was an option to use if required.
- 21.15 Councillor Haigh raised concerns that Honorary Aldermen, by definition, would not be current Members of the Council, therefore they could not formally represent the Council and would be outside the realms of formal sanctions if they displayed inappropriate behaviour.
- 21.16 Councillor Hilton stated that he supported the amendment and did not agree with creating civic roles for individuals who were not elected Members of the Council. He commented that the County Council's entitlements were more limited.
- 21.17 Councillor Morgan advised that the protocol offered options that may prove useful in the future and that he was confident that the decisions on attendance at events would be made appropriately.
- 21.18 The amendment was put to the vote and was lost.
- 21.19 Councillor H. Norman noted that the proposals had been debated at other meetings and those present had made a number of amendments to the Honorary Alderman protocol. She reiterated that the Council already had the power to make such appointments and that protocol ensured that a process could be followed, including the requirement for the unanimous agreement of Group Leaders.
- 21.20 **RESOLVED –**
- (1) That the process and criteria for the nomination of Honorary Freemen and Freedom of the City detailed in Appendix 1 be approved.

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- (2) That the process and criteria for nominations Freedom of the Entry detailed in Appendix 2 be approved.
- (3) That the process for the nomination of recipients of the Mayor's Medal detailed in Appendix 3 be approved.
- (4) That the process, criteria and entitlements for the nomination of Honorary Aldermen detailed in Appendix 4 be approved.

22. ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE FOR 2015-16

- 22.1 Council considered a report of the former Chair of the Overview and Scrutiny Committee seeking approval for the Committee's Annual Report for 2015-16 to be noted.
- 22.2 Councillor Lugg (former Chair of the Overview and Scrutiny Committee) moved the recommendation set out in the report.
- 22.3 Councillor Coole (Chair of the Overview and Scrutiny Committee) seconded the motion.
- 22.4 Councillor Hilton thanked the former Members of the Committee for the work undertaken. He questioned the level of support available for Overview and Scrutiny functions in comparison to the support available to the Cabinet.
- 22.5 Councillor Haigh stated that dedicated support for Overview and Scrutiny was important because it played an important role in identifying savings. She requested that the level of resources be reviewed.
- 22.6 Councillor Lugg advised that she had never been advised that resources were limited except for the limitation of supporting two Task and Finish Groups at any time due to staff capacity.
- 22.7 **RESOLVED** - That the Annual Report of the Overview and Scrutiny Committee for 2015-16 be noted.

23. ANNUAL REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE FOR 2015-16

- 23.1 Council considered a report of the Chair of the Audit and Governance Committee seeking approval for the Committee's Annual Report for 2015-16 to be noted.
- 23.2 Councillor Gravells (Chair of the Audit and Governance Committee) moved the recommendations set out in the report and paid tribute to Deb Llewellyn, former Chair of the Audit and Governance Committee, on her commitment and hard work over the previous 12 months. He advised that he had asked the Head of the Audit and Assurance Shared Service to include more information on the work carried out by the Committee in future Annual Reports. He explained that he had invited Committee Members to put forward suggestions of areas of Council business that should be audited and that there would, as a result, be an audit of the Amey

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contract and the terms of reference for the audit would be forwarded to the Committee in due course.

- 23.3 **RESOLVED** - That the Audit and Governance Committee Annual Report 2015/16 be noted.

24. NOTICES OF MOTION

(1) Notice of Motion from the Liberal Democrat Group

- 24.1 Moved by Councillor Hilton and seconded by Councillor D. Brown:

“This Council notes that the adopted Gloucester Local Plan dates back to 1983, but that a number of planning policies were formally ‘saved’ by the Secretary of State for Communities and Local Government in 2007.

This Council welcomes the work done so far by the three councils; Gloucester, Cheltenham and Tewkesbury in developing the Joint Core Strategy (JCS) that is currently being considered by the Planning Inspector appointed by PINS, Ms Elizabeth Ord.

This Council notes that a new Gloucester City Plan (the City Plan) will be prepared as a development document that will sit beneath the JCS. It will explain how the Council will implement the spatial vision and strategic objectives in the JCS up to the year 2031 and provide criteria that it will apply when considering planning applications for different types of buildings or other development.

This Council notes that a new Council was elected on the 5th May for four year term and that all members must be fully involved in developing the new City Plan, which was originally due to go to the Planning Inspector in the winter of 2016 for adoption in 2017.

This Council, therefore, calls on the Cabinet Member for Housing and Planning to prepare a report for all Members, to be considered by full council on 29th September 2016, on how he intends deliver the new City Plan through to adoption during the life of this Council.”

- 24.2 The motion was put to the vote and was carried.

(2) Notice of Motion from the Labour Group

- 24.3 Moved by Councillor Haigh and seconded by Councillor Coole:

“The City of Gloucester has a long and proud history of taking in and accepting people from different countries and cultures. The City has benefitted from the diversity and different experiences and skills that have enriched our City.

We are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country. We, Gloucester City Council, condemn racism, xenophobia and hate crimes unequivocally. We will not allow hate to become acceptable.

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Gloucester City Council will work to ensure local bodies and programmes have support and resources needed to fight and prevent racism and xenophobia.

We reassure all people living in Gloucester that they are valued members of our community.”

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

25. WRITTEN QUESTIONS TO CABINET MEMBERS

25.1 There were no written questions.

Time of commencement: 7.00 pm hours

Time of conclusion: 9.05 pm hours

Chair