



COUNCIL

MEETING : Thursday, 21st March 2013

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

Others in Attendance

Julian Wain, Chief Executive

Sue Mullins, Monitoring Officer and Group Manager, Legal and Democratic Services

Peter Gillett, Corporate Director of Resources

Martin Shields, Corporate Director of Services and Neighbourhoods

Tanya Davies, Democratic and Electoral Services Manager

APOLOGIES : Cllrs. Tracey, Porter and Mozol

81. MINUTES

81.1 **RESOLVED** – That the minutes of the Council meeting held on 21 February 2013 be approved and signed by the Mayor as a correct record.

82. DECLARATIONS OF INTEREST

82.1 Councillors Lugg, Beeley, Hansdot, Randle and Toleman declared personal interests in Agenda Item 14(b), a Notice of Motion from the Liberal Democrat Group regarding the Housing Revenue Account, by virtue of their positions as members of the Gloucester City Homes Board.

82.2 Councillor Field declared a personal interest in Agenda Item 88, a report of the Chief Executive concerning the terms of reference for the new Regeneration Advisory Board (RAB), as he was employed by the Dean of Gloucester Cathedral who was the proposed Chair of the (RAB).

82.3 Councillor Smith declared a personal interest in Agenda Item 87, a joint report of the Leader of the Council and Culture and the Cabinet Member for Performance and Resources, concerning the Capital Programme 2012/12 to 2015/16 as she worked at 75/81 Eastgate Street.

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83. PUBLIC QUESTION TIME (15 MINUTES)

83.1 There were no public questions.

84. PETITIONS AND DEPUTATIONS (15 MINUTES)

84.1 There were no petitions or deputations.

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

The Mayor

85.1 The Mayor welcomed Members and the public to the newly refurbished Civic Suite.

85.2 The Mayor reported that Her Majesty The Queen had appointed The Hon. Hugh John Hamilton Tollemache as the new High Sheriff of the County of Gloucestershire and paid tribute to the work of the previous High Sheriff, Duncan Clegg.

85.3 The Mayor thanked those Members who had attended Civic Ball and those involved in organising it. He reported that over £6,000 had been raised for the Mayor and Sheriff's charities.

85.4 The Mayor reported on the recent visit from delegates from Paju, South Korea, including the Mayor of Paju, and advised that delegates had presented the Soldiers of Gloucestershire Museum with £94,000 for the education of visitors about the role played by the 'Glorious Glosters' in battles against the Chinese in Korea in 1951.

85.5 The Mayor noted that high standard of nominations for the recent Citizen of Gloucester Awards and congratulated winners Reyaz Limalia (Citizen of the Year) and Liza Hadley (Chris Witts Award for Young Citizen of the Year).

85.6 The Mayor noted the sad death of former Labour Councillor David Middlecote on 12 March 2013.

Leader of the Council

85.7 Councillor James (Leader of the Council and Cabinet Member for Regeneration and Culture) further welcomed the opportunity for meetings to return to North Warehouse.

85.8 Councillor James noted the financial difficulties being experienced by Gloucester City Football Club and encouraged people to support the club by attending the forthcoming match where attendees would be asked to 'pay what they want'.

Members of the Cabinet

85.9 Councillor Organ (Cabinet Member for Housing, Health and Leisure) congratulated Gloucester City Homes on being placed in the Sunday Times list of 100 Best Companies To Work For, and for retaining their Investors in People Gold Standard accreditation.

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Chair of the Overview and Scrutiny Committee

85.10 Councillor Lugg (Chair of the Overview and Scrutiny Committee) noted the cancellation of the next Overview and Scrutiny Committee meeting, which was due to take place on 8 April 2013.

86. SUSPENSION OF COUNCIL PROCEDURE RULES

86.1 Moved by Councillor James and seconded by Councillor Llewellyn (Deputy Leader and Cabinet Member for Performance and Resources).

86.2 **RESOLVED** – That Council Procedure Rules be waived to allow the relevant officers to address the Council in respect of Agenda Items 11 and 12.

87. CAPITAL PROGRAMME 2012/13 TO 2015/16

87.1 Council considered a joint report of the Leader of the Council and Culture and the Cabinet Member for Performance and Resources, concerning the Capital Programme 2012/12 to 2015/16.

87.2 Councillor James moved the recommendations as set out in the report and explained that report set out details of capital projects and the process for putting together programme. He stated that more information had been provided to Members than in previous years and referred to the additional Appendix that had been circulated (see Appendix 1). He highlighted a number of projects within the programme including:

- £2m City Centre Investment Fund;
- proposed business incubation centre at Blackfriars Inn;
- investment in former SWRDA assets, including the Fleece Hotel site.
- Guildhall digital cinema project
- Flood alleviation works
- Blackbridge Athletics Track

He noted that regeneration projects were often realised over a number of years and that expenditure was spread accordingly.

87.3 Councillor Llewellyn seconded the motion and stated that the Council sought to invest in key services, with an emphasis on regeneration and supporting services in the City's communities by investing in buildings, delivering key priorities and investing in the Council's housing stock. She explained that the majority of capital financing was generated through external borrowing and highlighted the importance of maximising capital receipts.

87.4 Councillor Haigh (Leader of the Labour Group) welcomed the use of a formal process for approving and reviewing capital projects and noted that projects that began prior to the process being in place should be reviewed to ensure that they are consistent with the new approach. She stated that Members should be advised where there has been a change in policy, and how and why such decisions have been taken.

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- 87.5 Councillor Hilton (Leader of the Liberal Democrat Group) stated that he had expected the Capital Programme to form part of the budget proposals. He noted the cancellation of the wind turbine project and asked why it was no longer going ahead.
- 87.6 Councillor Hobbs (Deputy Leader of the Labour Group) stated that he welcomed the introduction of a formal process for developing the Capital Programme. He questioned where changes to funding were being monitored and whether this should be through the Audit and Governance Committee.
- 87.7 Councillor Smith welcomed the additional detail provided, but stated that it would have been helpful to reduce the amount of technical language used.
- 87.8 Councillor James advised that the increase in the cost of the wind turbine and the changes to feed in tariffs since the project was initially approved had meant that the project was no longer financially viable; he noted that delays had been caused in part by objections from Gloucestershire Airport. He stated that strengthened monitoring of the Capital Programme would be put in place.
- 87.9 **RESOLVED** – That the Capital Programme proposals for 2012/13 to 2015/16 as set out in Appendix 1 to the report be approved.

88. REGENERATION ADVISORY BOARD

- 88.1 Council considered a report of the Chief Executive concerning the terms of reference and method of operation for the new Regeneration Advisory Board (RAB).
- 88.2 Councillor James moved the recommendations as set out in the report, subject to the revised terms of reference (ToR) and method of operation (see Appendix 2) which had been circulated to all Members. He explained that the ToR had been amended to reflect recent discussions with Group Leaders and highlighted the importance of seeking advice from individuals with expertise and from residents. He thanked members of the Gloucester Heritage Urban Regeneration Board and the Dean of Gloucester Cathedral for agreeing to chair the new Board.
- 88.3 Councillor Llewellyn seconded the motion.
- 88.4 **RESOLVED** - That the draft terms of reference and method of operation of the Regeneration Advisory Board be approved as outlined at in the revised Appendix A to the report.

89. REVIEW OF STREET TRADING POLICY

- 89.1 Council considered a report of the Chair of the Licensing and Enforcement Committee concerning proposed changes to the Council's Street Trading Policy, required to comply with the European Services Directive 2006/123/EC of 12 December 2006 and the Provision of Services Regulations 2009.
- 89.2 Councillor Noakes (Chair of the Licensing and Enforcement Committee) moved the recommendations set out in the report. She explained that the Licensing and

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Enforcement Committee had considered the report, but that it did not have the power to amend the 'Criteria for Determining Street Trading Consent Applications in the City of Gloucester' until the Constitution was amended under the next agenda item. Therefore, the Council was also asked to approve the proposed amendments to the Criteria.

89.3 Councillor Randle seconded the motion.

89.4 **RESOLVED** –

- (1) The "*Criteria for Determining Street Trading Consent Applications in the City of Gloucester*" are revised to remove the two criteria as set out in paragraph 5.2 and 5.3 of this report in respect of determining applications for Street Trading Consents.
- (2) That the delegated function to consider appeals against officer decisions on street trading applications be delegated to the Licensing and Enforcement Sub-Committee.
- (3) The delegated function to determine and approve Street Trading Policy be delegated to the Full Licensing and Enforcement Committee.

90. ANNUAL REVIEW OF THE CONSTITUTION

90.1 Council considered a report of the Monitoring Officer concerning proposed amendments to the Council's Constitution as recommended by the Constitutional and Electoral Working Group.

90.2 Councillor Taylor (Chair of the Constitutional and Electoral Working Group) moved the recommendations set out in the report, subject to one additional amendment to the terms of reference for the Licensing and Enforcement Committee (see Appendix 3). He advised that it was good practice to review the Constitution on a regular basis and noted that the amendments proposed were largely minor in nature.

90.3 Councillor Field (Vice Chair of the Constitutional and Electoral Working Group) seconded the motion.

90.4 **RESOLVED** - That the revised Constitution as recommended by the Constitutional and Electoral Working Group on 12 March 2013 be adopted.

91. REVIEW OF MEMBERS' ALLOWANCES 2013

91.1 Council considered a report of the Chair of the Members' Allowances Panel concerning the recommendations of the independent Members' Allowances Panel regarding the Council's Members' Allowances Scheme for 2013-14.

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

91.3 Councillor Llewellyn seconded the motion.

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91.4 **RESOLVED** – That Members' Allowances be frozen at the levels detailed in the 2012-13 Scheme, and set out in Appendix 1, for one year and no changes be made to the Scheme for the 2013-14 municipal year.

92. QUESTIONS BY MEMBERS (COUNCIL PROCEDURE RULE 12)

Written Questions to Cabinet Members

92a.1 The schedule of Written Questions to Cabinet Members was circulated at the meeting (see Appendix 4)

92a.2 There were no supplementary questions.

Cabinet Member Question Time

92b.1 Councillor Haigh asked the Leader of the Council what submission had been made to Gloucestershire County Council Planning Committee by the City Council in respect of proposals for an incinerator at Javelin Park.

92b.2 Councillor James advised that the City Council's Planning Committee had considered a report on the matter at a previous meeting and submitted its response accordingly.

92b.3 Councillor Haigh asked the Leader whether, in light of comments from the Secretary of State for Communities and Local Government, he considered that Gloucestershire needed an incinerator.

92b.4 Councillor James advised that the matter was not within his control. He stated that waste could not continue to be sent to landfill indefinitely and noted that the County Council would consider all relevant matters in reaching a decision.

92b.5 Councillor Hilton asked the Leader of the Council whether the Council provided any financial support to Gloucester City Football Club.

92b.6 Councillor James advised that the Council had provided the club with modest support towards the cost of renting an alternative ground and that the club had been informed that this season's amount could be paid in advance to help ease their financial difficulties, subject to them raising the remainder of the rent.

92b.7 Councillor Hilton asked whether the Council would consider increasing the level of support offered to improve the financial viability of the club.

92b.8 Councillor James reported that the club had expressed their gratitude to the Council for the help provided so far, including the offer of an advance, and that they recognised that the Council was not in a position to provide any additional financial support. He encouraged people to help support the club by attending matches.

92b.9 Councillor Haigh asked the Cabinet Member for Regeneration and Culture if he agreed that the proposed re-location of the Tourist Information Centre (TIC) should be in the appropriate place with reference to the Kings Quarter

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development, with proper disabled access and that it should not cost an unreasonable amount of money.

- 92b.10 Councillor James advised that he agreed with the comments and that such criteria would be taken into account in reaching a decision. He stated that bigger premises would give the TIC the opportunity to provide additional services and that this demonstrated the Council's tourism aspirations.
- 92b.11 Councillor Haigh asked the Cabinet Member whether he agreed that there were numerous opportunities in the City to provide premises that met all essential criteria.
- 92b.12 Councillor James advised that he agreed that the Council's property team were considering all of the options.
- 92b.13 Councillor Hilton asked the Cabinet Member for Regeneration and Culture what the Council's Planning Officers were doing to develop a masterplan for the Gloucester Prison site.
- 92b.14 Councillor James stated that the site was owned by the Ministry of Justice and that the Council was engaged in discussions with them about their plans for disposal. He noted that the site was part of the wider Blackfriars regeneration area and that any development would need to be consistent with plans for the whole area. He advised that officers were working on a planning brief for the site and that it would be presented to Council at a later date.
- 92b.15 Councillor Hilton asked the Cabinet Member what plans had been made to carry out archaeological investigations at the site.
- 92b.16 Councillor James noted the archaeological importance of the site and advised that such investigations would take place at the appropriate time.
- 92b.17 Councillor Field asked the Cabinet Member for Regeneration and Culture what the Council was doing to ensure that independent businesses could thrive and survive in the City centre.
- 92b.18 Councillor James referred to the £2m City Centre Investment Fund which would provide a whole range of measures to improve the City centre, including £350,000 available for organisations in the Westgate Street area to bid for. He noted the range of business grants already available, changes to the parking tariffs, and the ongoing investment in sites such as the Fleece Hotel, which would benefit businesses in the longer term.
- 92b.19 Councillor Hobbs asked the Cabinet Member for Environment what the Council could do to assist residents with removing trees to prevent sparrows and starlings from roosting and making a significant amount of mess in gardens.
- 92b.20 Councillor Williams advised that the Council would be happy to advise residents, but that there was no financial support available for this purpose. She noted that starlings were a protected species and that it would be a shame to remove trees, but that officers could advise on how to prevent the birds from settling. She

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advised that the birds were likely to move on when larger birds arrived and that the Council would, of course, clean up any incidences of mess on public highways.

- 92b.21 Councillor Hobbs asked the Cabinet Member if it was possible for the Council to assist with the disposal of trees after they had been cut down.
- 92b.22 Councillor Williams advised that she would discuss the matter with officers and respond directly to Councillor Hobbs.
- 92b.23 Councillor Witts asked the Leader of the Council whether the recent visit from delegates from the South Korean city of Padew would lead to any formal proposals for twinning arrangements.
- 92b.24 Councillor James reported that the Council's link with Padew had already proved successful and that there would be further possibilities for utilising the relationship, particularly for trade purposes, but that there were no plans to pursue any formal twinning arrangements.
- 92b.25 Councillor Wood asked the Leader of the Council whether he agreed that the £0.5 million heritage lottery grant awarded to the Soldiers of Gloucestershire Museum reinforced the importance attributed to the county's military personnel and heritage and the role played by the Armed Forces in general.
- 92b.26 Councillor James stated that the investment was very important to the museum and agreed that members of the Armed Forces made a significant contribution to the life of the City. He noted that a group of organisations and individuals were planning an event to celebrate Armed Forces Day in June in addition to the Council's own flag raising ceremony.
- 92b.27 Councillor Noakes asked the Leader of the Council if he was pleased that the lift at Gloucester Railway Station was now operational.
- 92b.28 Councillor James noted that it had taken some time for the lift at the railway station to become operational and that the City's MP, Richard Graham had lobbied in respect of this. He welcomed the news that the lift was now usable and looked forward to the realisation of further proposed improvements at the station.
- 92b.29 Councillor Taylor asked the Cabinet Member for Regeneration and Culture if he could provide any information regarding progress on the Greyfriars development.
- 92b.30 Councillor James advised that the affordable housing element of the development had been reduced to enable the development to proceed and that it was anticipated that the development agreement would soon become unconditional, with work starting on site shortly after. He noted the importance of the scheme to the delivery of much-needed housing in the City centre.
- 92b.31 Councillor Gravells asked the Cabinet Member for Regeneration and Culture for an update on plans for the Tall Ships Festival.

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- 92b.32 Councillor James reported that plans for the event were progressing well and that currently five or six tall ships were booked to attend. He stated that it was a very popular and well-established festival and that the 2013 event taking place from 24-27 May would build on the success of previous years. He advised that Marketing Gloucester had secured sponsorship for the event and encouraged more sponsors to come forward.
- 92b.33 Councillor Randle asked the Cabinet Member for Communities and Neighbourhoods if she welcomed the positive news that the Council had helped to find new premises for the Gloucester Little Bundles charity.
- 92b.34 Councillor Dallimore stated that Gloucester Little Bundles was an important charity and that despite the short notice, officers in Economic Development and Corporate Property had worked hard to find the charity new premises in the Poets Corner area of Podsmead. She encouraged Members to attend a ball being held to raise funds for the charity on 28 June.
- 92b.35 Councillor Lewis asked the Leader of the Council for an update on the City's bid to host a match during the 2015 Rugby World Cup.
- 92b.36 Councillor James explained the bid had been submitted in September and that some additional information had subsequently been requested and supplied. He advised that currently no date had been set for a decision to be made, but that he was reasonably confident in the City's chances of success.
- 92b.37 Councillor Smith noted that 635 residents would be affected by the new 'bedroom tax' and asked the Cabinet Member for Housing, Health and Leisure whether the Council would be taking the opportunity to offer exemptions for families with severely disabled children.
- 92b.38 Councillor Organ advised that Gloucester City Homes had identified all of those affected by the new policy and would be considering the options for exemptions very carefully.
- 92b.39 Councillor Wilson asked the Cabinet Member for Performance and Resources whether the Council had been informed of the additional costs for the 2011/12 audit of accounts.
- 92b.40 Councillor Llewellyn reported that the additional fees were currently being negotiated and would be reported to the Audit and Governance Committee, including any additional staff costs. She noted that an improvement plan had been put in place and would be carefully monitored.
- 92b.41 Councillor Toleman asked the Cabinet Member for Regeneration and Culture whether the City Centre Investment Fund demonstrated the importance placed on the vibrancy and appearance of the City centre by the Council.
- 92b.42 Councillor James agreed and advised that funding had been allocated to a number of exciting projects, with a separate fund set aside for organisations to bid for. He noted that prioritising improvement of the City centre was identified as a key part of the City Vision.

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- 92b.43 Councillor Patel asked the Cabinet Member for Environment for an update on plans for a 'Spring Clean' weekend in the City.
- 92b.44 Councillor Williams advised that a Spring Clean weekend was planned for 17-19 May, during which residents, businesses and visitors would be encouraged to do their part to help clean up the City and keep it looking attractive.
- 92b.45 Councillor Durrant asked the Leader of the Council what the Council was doing to ensure that electors knew where to cast their vote during the County Council elections in light of changes to polling stations.
- 92b.46 Councillor James advised that the question was a matter for the Deputy Returning Officer and not Members of the Cabinet.
- 92b.47 Councillor Field asked the Cabinet Member for Environment when the Council would take steps to clean up the starling droppings that had been reported in Kingsholm and Wotton ward and whether details of the locations could be noted for future years.
- 92b.48 Councillor Williams expressed disappointment that the matter had not yet been dealt with and undertook to ensure that the droppings were cleaned up as soon as possible.
- 92b.49 Councillor Ravenhill asked the Leader of the Council for assurances that plans for putting the civic artefacts back into the refurbished Civic Suite were in hand.
- 92b.50 Councillor James confirmed that officers were working on replacing the artefacts and advised that a less cluttered display would be favourable. He stated that in order for more people to have access to the Council's civic heritage it was appropriate to display items within the City's museums.
- 92b.51 Councillor Dee asked the Leader of the Council for assurances that the civic artefacts displayed in the Civic Suite would be of relevance to the City of Gloucester.
- 92b.52 Councillor James undertook to ensure that the civic artefacts displayed would be carefully chosen to ensure that they were relevant to the history and heritage of the City and the Council.

93. NOTICES OF MOTION

(a) Notice of Motion from the Labour Group

93a.1 Moved by Councillor Haigh and seconded by Councillor Hobbs:

"This Council notes that new mum's in the City are facing a 'mummy tax' of £180 due to cuts in real terms to maternity pay. This is in addition to the scrapping of the Health in Pregnancy grant and the Child Trust fund and the freezing of Child Benefit. At the same time millionaires are being given a tax cut worth, on average, £100,000 pounds. This Council notes that families in this City are already struggling

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to cope with the impact of the Coalition Government's failed economic policies. Increasing amounts of homelessness, debt and demand on the food bank are evidence of this. Council therefore calls upon the Leader to write to David Cameron and ask him to help mums not millionaires."

93a.2 The motion was put to the vote and was lost.

(b) Notice of Motion from the Liberal Democrat Group

93a.3 Moved by Councillor Hilton and seconded by Councillor Field:

"This council notes with disappointment the failure of the Conservative administration to manage the finances of the council accurately.

That council notes that the Housing Revenue Account has been adjusted downwards from £3.6m (31st March 2012) to £1.3m as part of the council's recent audit, leaving Gloucester City Homes Ltd with £2.3m less than was previously thought."

93a.4 Councillor James moved an amendment, which was seconded by Councillor Llewellyn.

93a.5 Councillor Hilton rejected the amendment, which was subsequently put to the vote:

~~"This council notes **that:** with disappointment the failure of the Conservative administration to manage the finances of the council accurately.~~

~~That council notes that the Housing Revenue Account has been adjusted downwards from £3.6m (31st March 2012) to £1.3m as part of the council's recent audit, leaving Gloucester City Homes Ltd with £2.3m less than was previously thought.~~

- 1) In accordance with proper accounting practice, the balance of the Housing Revenue Account at 31st March 2012 was £1.4m, as approved by Audit and Governance Committee on 26th February 2013.**
- 2) Based on existing policy, this will not have an impact on the council's approach to progressing the new governance model for the future management of the City Council's housing stock."**

93a.6 The amendment was carried.

93a.7 The motion, as amended, was put to the vote:

"This council notes that:

- 1) In accordance with proper accounting practice, the balance of the Housing Revenue Account at 31st March 2012 was £1.4m, as approved by Audit and Governance Committee on 26th February 2013.

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- 2) Based on existing policy, this will not have an impact on the council's approach to progressing the new governance model for the future management of the City Council's housing stock."

93a.8 The motion was carried.

Time of commencement: 19:00 hours

Time of conclusion: 21:05 hours

Chair