



COUNCIL

MEETING : Thursday, 25th September 2014

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

Others in Attendance

Martin Shields, Corporate Director of Services and Neighbourhoods

Sue Mullins, Head of Legal and Policy Development

Duncan May, Project Officer

Marcus Grodentz, Communications and Marketing Service Manager

Tanya Davies, Democratic and Electoral Services Manager

APOLOGIES : Cllr. Hobbs

38. MINUTES

38.1 **RESOLVED** – That the minutes of the Council meeting held on 17 July 2014 and the Special Council meeting held on 14 August 2014 be approved and signed by the Mayor as correct records.

39. DECLARATIONS OF INTEREST

39.1 Councillors Hansdot, Lugg, Randle, Beeley and Toleman declared a prejudicial interest in agenda item 8, Housing Futures – Outcome of Tenant Ballot on Housing Transfer as Board Members of Gloucester City Homes. They retired to the public gallery for this item.

39.2 Councillors Gravells, Tracey and Brown declared a personal interest in agenda item 14(3), a Notice of Motion from the Labour Group, as Gloucestershire City Councillors.

40. PUBLIC QUESTION TIME (15 MINUTES)

40.1 There were no public questions.

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41. PETITIONS AND DEPUTATIONS (15 MINUTES)

- 41.1 There were no petitions or deputations.

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

Mayor

- 42.1 The Mayor advised that the Crucible exhibition at Gloucester Cathedral would end on 31 October 2014 and commended it to Members.
- 42.2 The Mayor thanked Members for their attendance at the Annual Civic Service on 21 September 2014 and praised students from Fieldcourt Infant School and High School for Girls, and Scouts and Guides from the City for their participation.
- 42.3 The Mayor congratulated Councillor Hobbs and his partner on the birth of their daughter.

Chair of Overview & Scrutiny

- 42.4 Councillor Lugg invited all Members to attend a special meeting of the Overview & Scrutiny Committee on 13 October 2014, which would be a question time event involving educational institutions from within the City.

43. SUSPENSION OF COUNCIL PROCEDURE RULES

- 43.1 Moved by Councillor James (Leader of the Council and Cabinet Member for Regeneration and Culture) and seconded by Councillor Dallimore (Deputy Leader of the Council and Cabinet Member for Communities and Neighbourhoods) –
- 43.2 **RESOLVED** - That Council Procedure Rules be suspended to allow the relevant officers to address the Council in respect of agenda item 8 (Housing Futures – Outcome of Tenant Ballot on Housing Transfer).

44. HOUSING FUTURES - OUTCOME OF TENANT BALLOT ON HOUSING TRANSFER

- 44.1 The Council considered a report of the Cabinet Member for Housing, Health and Leisure concerning the outcome of the tenant ballot on the housing stock transfer.
- 44.2 Councillor Organ (Cabinet Member for Housing, Health and Leisure) moved the recommendation set out in the report and reported that 89.1% of the tenants who voted in the ballot voted in favour of transferring the Council's housing stock to Gloucester City Homes. He stated that the outcome represented a clear mandate to proceed with the transfer, which would enable Gloucester City Homes (GCH) to access funding to invest in homes and safeguard the City's housing stock for many years to come. He explained that it was anticipated that the deal would be finalised in the Spring of 2015. He extended his gratitude to all of those involved, including Councillors from all parties, the Housing Futures Tenants Group, the Tenant Participation Advisory Service (TPAS), the Electoral Reform Society, officers from the Council and GCH, external consultants, and housing tenants and leaseholders.

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- 44.3 Councillor James seconded the motion.
- 44.4 Councillor Hilton (Leader of the Liberal Democrat Group) welcomed the clear and decisive outcome of the ballot. He emphasised the importance of involving Members in mapping the land to be transferred and requested that maps be provided as soon as possible.
- 44.5 Councillor Haigh (Leader of the Labour Group) welcomed the result and echoed the thanks to all involved, especially the Housing Futures Tenants Group. She stated that she was confident that the Council's relationship with GCH would continue after the transfer for the benefit of tenants and the City.
- 44.6 Councillor Smith stated that she was proud of the level of knowledge and participation shown by the Council's tenants and noted that without their dedication the outcome may not have been as decisive.
- 44.7 Councillor James endorsed the thanks given to all involved and added his thanks to Councillor Organ and Councillor Gravells as the current and former Cabinet Members responsible for housing, and to the City's MP, Richard Graham, for securing the debt write-off. He welcomed the cross-party consensus achieved throughout the process and looked forward to moving to the next stage.
- 44.8 Councillor Organ advised that the Land Sub Group were working on the fine details of the land transfer and that all land would be mapped and shared with Members prior to transfer.
- 44.9 **RESOLVED –**
- (1) That the positive result of the tenants' ballot in respect of the proposed transfer to Gloucester City Homes be noted and a Stage 3 statutory notice be served on tenants informing them of the result and explaining their right to make representations to the Secretary of State for Communities and Local Government.
 - (2) That negotiation on the detailed terms of the proposed transfer to Gloucester City Homes should proceed. The Council's final approval of the terms of the transfer will be sought before the transfer takes place.
 - (3) That an application be made to the Secretary of State for Communities and Local Government for all necessary statutory consents in respect of the proposed transfer at the appropriate time. Completion of the transfer will be subject to the required consents being received.
 - (4) That officers be authorised to take any steps necessary on behalf of the Council to enable Gloucester City Homes to be converted as soon as possible to a Community Benefit Society (previously known as an Industrial & Provident Society) and support its registration as a registered provider of social housing with charitable objects.

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- (5) That authority be given to the Council's Head of Paid Service in consultation with the Leader of the Council and the Cabinet Member for Housing, Health & Leisure to consider and resolve all matters on behalf of the Council in relation to the proposed transfer to Gloucester City Homes subject to the Council's final approval of the terms of the transfer.

45. COUNCIL PLAN ACHIEVEMENTS 2011-14

- 45.1 The Council considered a report of the Leader of the Council concerning highlights of the achievements towards the key priorities of the Council Plan 2011-2014 *Transforming Your City*.
- 45.2 Councillor James moved the recommendation set out in the report. He noted that the Council Plan had covered a challenging period of time for local government, but that the Council had achieved a significant amount, including progress on regeneration, reduction in crime, securing funding for various projects, improvements to the museums service and an extensive programmes of events, in addition to making significant savings and freezing the level of Council Tax. He noted that some targets had not yet been met, but that the Council could be proud of its achievements.
- 45.3 Councillor Norman (Cabinet Member for Performance and Resources) seconded the motion. He stated that the achievements under the last Council Plan were clear and that he looked forward to realising the ambitions in the new Council Plan
- 45.4 **RESOLVED** – That the report be noted.

46. COMPLAINTS POLICY

- 46.1 The Council considered a report of the Cabinet Member for Communities and Neighbourhoods concerning the corporate Complaints Policy.
- 46.2 Councillor Dallimore moved the recommendation in the report. She advised that the complaints policy, along with the many compliments received, was essential to the monitoring customer feedback and ensuring that the service provided was continuously reviewed and improved.
- 46.3 Councillor James seconded the motion.
- 46.4 Councillor Haigh requested that the documentation be amended to make it clear that the equalities information would be recorded and stored separately from the complaint to ensure that members of the public were not discouraged from complaining.
- 46.5 Councillor Dallimore agreed to amend the wording on the form.
- 46.6 **RESOLVED** – That the Complaints Policy at Appendix 1 be approved.

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47. REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) SIX MONTHLY REPORT

- 47.1 The Council considered a report of the Cabinet Member for Performance and Resources concerning the Council's use of its powers under the Regulation of Investigatory Powers Act 2000 (RIPA).
- 47.2 Councillor Norman moved the recommendations in the report and advised that the Council has not used its RIPA powers since the last report to Members.
- 47.3 Councillor James seconded the motion.
- 47.4 **RESOLVED** - That the contents of the report be noted.

48. BOUNDARY REVIEW - PROPOSED WARDING PATTERNS

- 48.1 The Council considered a report of the Head of Legal and Policy Development concerning the proposals of the Boundary Review Working Group (BRWG) on warding patterns for submission to the Local Government Boundary Commission for England (LGBCE).
- 48.2 Councillor Haigh moved the recommendation set out in the report. She reported that the BRWG had agreed proposals for 8 wards and several principles for other wards that would be submitted to the LGBCE. She advised that individual political parties would submit their own proposals for the other wards and the LGBCE would make their decisions based on evidence from a number of sources.
- 48.3 Councillor Hilton seconded the motion.
- 48.4 Councillor Tracey stated that Westgate ward should have three Members representing constituents and that Hempsted should not be split into a separate community.
- 48.5 Councillor Chatterton noted a number of factual errors in the proposed evidence and requested that all errors be corrected before the documentation was submitted to the LGBCE.
- 48.6 Councillor Hilton advised that the timetable for the review had meant that it had not been possible to achieve a consensus on all wards, but that there was some agreement between Parties on other areas. He stated that Matson should be a three Member ward, with a single Member ward for Coney Hill and a separate single Member ward for Hempsted. He commended the BRWG for achieving a substantial amount of agreement in challenging circumstances.
- 48.7 Councillor Porter spoke in favour of a three Member ward for Westgate.
- 48.8 Councillor Pullen raised concerns about the possibility of moving the Linden area into Podsmead as the community had stronger links with Moreland.
- 48.9 Councillor Dallimore stated that there was significant community cohesion between Linden and Podsmead, with both schools and transport links being shared.

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- 48.10 Councillor Toleman stated that Hempsted should not be separated from Westgate ward and that the new ward should have three Members.
- 48.11 Councillor Haigh thanked Duncan May and Sue Mullins for their support to the BRWG and requested that Members informed officers about any factual errors in the proposed submission as soon possible.
- 48.12 **RESOLVED** – that, subject to the amendment of any factual errors, the draft Warding Proposal map at Appendix 1 and the Evidence in support of Warding proposals at Appendix 2 be approved for submission to the Local Government Boundary Commission for England.

49. QUESTIONS BY MEMBERS (COUNCIL PROCEDURE RULE 12)

Written questions to Cabinet Members

- 49a.1 As a supplementary question to her written question Councillor Haigh asked the Leader of the Council and Cabinet Member for Regeneration and Culture whether he would be working on making Gloucester Carnival more inclusive.
- 49a.2 Councillor James advised that he would carefully consider the concerns raised and advised there were no plans to limit freedom of speech or expression, but that ensuring contributions were in the spirit of the event was the main priority.
- 49a.3 As a supplementary question to her written question Councillor Haigh asked the Cabinet Member for Housing, Health and Leisure if the Council would register the locations of its own defibrillator devices and encourage other organisations to do the same.
- 49a.4 Councillor Organ stated that an increasing number of organisations had defibrillators on site and that the British Heart Foundation was working with others to put together an up to date register.
- 49a.5 As a supplementary question to his written question Councillor Hansdot asked the Cabinet Member for Housing, Health and Leisure what steps the Council was taking to identify HMOs.
- 49a.6 Councillor Organ explained that the Council was required to keep a list of licensed HMOs only, but that he was aware that there were a number of other types of HMOs in Barton and Tredworth ward, a number of which were unlicensed. He advised that enforcement action was taken in the case of unlicensed HMOs and that an Overview and Scrutiny Task and Finish Group would be looking at the issue.
- 49a.7 As a supplementary question to his written question Councillor Hansdot asked the Cabinet Member for Environment if the trade waste scheme could be extended to include Barton Street.

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- 49a.8 Councillor Porter advised that it was necessary to see how the scheme would work in the Gate Streets before considering any extensions, but that the inclusion of Barton Street would be reviewed in the future.
- 49a.9 As a supplementary question to his written question Councillor Gravells asked the Leader of the Council and Cabinet Member for Regeneration and Culture if he would do all he could to ensure that the review of the Assets of Community Value policy was completed within one month.
- 49a.10 Councillor James undertook to ask officers to complete the review as quickly as possible.
- 49a.11 **RESOLVED** – That the written questions submitted and corresponding responses be noted.

Leader and Cabinet Members' Question Time

- 49b.1 Councillor Hilton asked the Leader of the Council and Cabinet Member for Regeneration and Culture how many of the key regeneration sites identified by the Council and the City MP would be delivered on prior to the Rugby World Cup in 2015
- 49b.2 Councillor James explained that the 'hit list' contained sites with a range of different challenges and at different stages on development; the progress achievable by 2015 would vary from site to site, but a number would be completed. He stated that it was important to use the Rugby World as a lever to attract investment, but that regeneration for the good of the whole City was the long term priority.
- 49b.3 Councillor Hilton asked how the City MP would contribute to the regeneration of the City.
- 49b.4 Councillor James advised the City MP took a significant interest in regeneration and would continue to work with the Council to meet the challenges presented. He stated that both the economy and property prices were recovering and that this would contribute to delivering on major and minor schemes.
- 49b.5 Councillor Haigh asked the Leader of the Council and Cabinet Member for Regeneration and Culture what acting up arrangements had been put in place while the Head of Paid Service would be away on holiday.
- 49b.6 Councillor James advised that the Council would ensure appropriate interim arrangements were in place including acting up responsibilities and support from the County Council.
- 49b.7 Councillor Haigh asked when Members would be informed of the arrangements.
- 49b.8 Councillor James stated that the plans were well advanced and that Members would be informed shortly.

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- 49b.9 Councillor Hilton asked the Leader of the Council and Cabinet Member for Regeneration and Culture for an assurance that there would be no ban imposed on the involvement of political and religious groups in Gloucester Carnival and the Gloucester Day Parade.
- 49b.10 Councillor James stated that in respect of the Carnival, the Council had no intention of banning any groups. He stated that it was difficult to provide rules to cover every eventuality, but that individual groups should consider whether their contributions were in the spirit of the event. He advised the Council was not the organiser of the Gloucester Day Parade.
- 49b.11 Councillor Haigh asked the Cabinet Member for Communities and Neighbourhoods how long residents should expect to wait for a call to the Council's '396396' number to be answered.
- 49b.12 Councillor Dallimore acknowledged the waiting times increase during peak times and undertook to provide Councillor Haigh with up to date performance data.
- 49b.13 Councillor Haigh asked whether the Council would consider introducing a call back facility for callers waiting for longer than a specified amount of time.
- 49b.14 Councillor Dallimore stated that she was not aware that there was a problem with the call waiting times and that a call back facility was not necessary. She advised that there were a number of ways for individuals to contact the Council and that additional staff were brought in to the Contact Centre during peak times.
- 49b.15 Councillor Wilson asked the Cabinet Member for Environment to provide details of the archaeological excavation taking place in Hucclecote ward, including any proposals to sell off the land in question.
- 49b.16 Councillor Porter advised that he had not been made aware of the work being carried out and would report back to Councillor Wilson after the meeting.
- 49b.17 Councillor Williams asked the Leader of the Council and Cabinet Member for Regeneration and Culture if he welcomed the news of the relocation of a number of jobs to the Pillar and Lucy Warehouse.
- 49b.18 Councillor James welcomed the announcement and noted that the jobs were high value positions. He stated that the news added to the growing feeling that Gloucester was an attractive location for businesses.
- 49b.19 Councillor Brown asked the Cabinet Member for Communities and Neighbourhoods to explain the reasons for the delay to the upgrade of CCTV equipment at the Bearland control centre.
- 49b.20 Councillor Dallimore advised that the delay was largely due to the election of the new Police and Crime Commissioner who had taken the decision to relocate the CCTV control room. As a result the Council was in discussion about a joint procurement exercise with Cheltenham Borough Council, which was likely to deliver some financial savings and could also deliver proposals for free wifi in the

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City centre. It was anticipated that the procurement would be concluded by 1 April 2015.

- 49b.21 Councillor Chatterton asked the Leader of the Council and Cabinet Member for Regeneration and Culture why 9 out of the 10 street lights on Eastgate Street were not working and how quickly they would be repaired.
- 49b.22 Councillor James noted that street lights were the responsibility of the County Council and suggested that every individual had a duty to report problems to the relevant authority so that action could be taken swiftly.
- 49b.23 Councillor Toleman asked the Leader of the Council and Cabinet Member for Regeneration and Culture if he welcomed the announcement that Gloucester had been named as the second fastest growing retail destination in the country.
- 49b.24 Councillor James stated that he welcomed the news and noted that the City had climbed 26 places in the ranking. He explained that it was important to understand the complete message and that the positive news should be used to attract new retailers to the City.
- 49b.25 Councillor Gilson asked the Leader of the Council and Cabinet Member for Regeneration and Culture why Marketing Gloucester were being prevented from erecting Rugby World Cup promotional banner by Council conservation officers.
- 49b.26 Councillor James advised that discussions had taken place about what level of display was appropriate and Council officers had taken a cautious approach. He stated that conversations would take place around the appropriate dressing of the City in advance of and during the tournament.
- 49b.27 Councillor Gilson asked whether the banner brackets would be used to advertise others events.
- 49b.28 Councillor James confirmed that the Council had secured a deal with the bracket supplier for repeated use.
- 49b.29 Councillor Ravenhill asked the Leader of the Council and Cabinet Member for Regeneration and Culture for update on works being carried out on St Michael's Tower.
- 49b.30 Councillor James reported that the scaffolding was due to come down on 6 October 2014 and that the work had been completed on time and on budget. He added that it demonstrated the importance placed upon the Council's ownership of historic buildings.
- 49b.31 Councillor Randle asked the Leader of the Council and Cabinet Member for Regeneration and Culture if he agreed that the City's cultural offering was to be commended.
- 49b.32 Councillor James stated that the City's cultural offering was impressive, with a packed programme of events and the Arts Commission keen to invest.

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- 49b.33 Councillor Randle asked whether art created during the Paint Jam event would be displayed on empty shops.
- 49b.34 Councillor James advised that he was keen for art to be displayed in appropriate places and that Marketing Gloucester would be assisting with this.
- 49b.35 Councillor Lewis asked the Leader of the Council and Cabinet Member for Regeneration and Culture if he welcomed the news that unemployment in the City was in a sustained downward trend.
- 49b.36 Councillor James welcomed the news and emphasised the importance of ensuring that people could access the training required to meet the needs of employers in the City and that the Council would continue to work with the Local Economic Partnership on such objectives.
- 49b.37 Councillor Field asked the Leader of the Council and Cabinet Member for Regeneration and Culture what specific action was proposed to bring Tanners Hall and the former Trident Life Building back into use.
- 49b.38 Councillor James advised that the current position in respect of Tanners Hall was being established; consents were agreed, but not implemented and a sale had not been achieved to date. He reported that restructuring work had been taking place at the former Trident Life Building and that he hoped some progress would now be made; he noted that an interest in converting the property had been expressed. He undertook to keep Councillor Field updated in respect on both buildings.
- 49b.39 Councillor Beeley asked the Leader of the Council and Cabinet Member for Regeneration and Culture for an update on the disused public conveniences in Hucclecote ward.
- 49b.40 Councillor James undertook to obtain an update on the latest position from Asset Management.
- 49b.41 Councillor Patel asked the Leader of the Council and Cabinet Member for Regeneration and Culture if he agreed that there was a growing level of confidence in the City as a result of the number of new businesses opening in Barton Street and the City Centre.
- 49b.42 Councillor James welcomed the opening of new businesses in the City and in Barton Street, which was a clear indication of confidence in the City, and praised the Economic Development team for their work on encourage businesses to come to Gloucester.
- 49b.43 Councillor Smith asked the Cabinet Member for Communities and Neighbourhoods who was monitoring the key performance indicators in respect of calls to revenues and benefits and calls to customer services, and whether there had been any recent improvements in performance.

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- 49b.44 Councillor Dallimore advised that the relevant officers continued to monitor the performance of these services and she undertook to provide Members with recent performance data.
- 49b.45 Councillor Pullen asked the Cabinet Member for Communities and Neighbourhoods for an update on spend from the Members' Allocation Fund and details of how it was being monitored.
- 49b.46 Councillor Dallimore reported that take up had so far been very limited and she encouraged Members to take advantage of the funding available to them to support projects in their wards. She advised that the Community Engagement team were responsible for monitoring use of the fund and would ensure that it was spent appropriately.

50. NOTICES OF MOTION

(1) Notice of Motion from the Labour Group

- 50.1 Councillor Haigh advised that the motion had been withdrawn.

(2) Notice of Motion from the Labour Group

- 50.2 Moved by Councillor Haigh and seconded by Councillor Lugg:

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

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

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

- 50.3 Councillor Hilton moved an amendment.

- 50.4 Councillor Haigh accepted the amendment:

"Following the result of the Scottish Independence Referendum there is the question of what this means for England. England is the most centralised Country within the UK and that is not healthy for local economies and prosperity. **This Council records its best wishes and thanks to the people of Scotland for voting to keep the union of Great Britain and Northern Ireland together.**

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This Council notes that ~~the~~ Core Cities (eg. Manchester and Birmingham) have stated their intent to seek more powers and control of their own resources to build powerful local economies. For Gloucester, we must find ways of working with our neighbours to bring the same benefits of such devolution and cooperation to our own residents whilst at the same time retaining what is distinctive and important to our City.

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

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

This Council notes the LGA's view is that a constitutional convention should be established to consider how powers could be devolved in England, and requests that the Council considers and comments on the consequential impact this may have on the city of Gloucester and the county of Gloucestershire."

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

(3) Notice of Motion from the Labour Group

50.6 Moved by Councillor Chatterton and seconded by Councillor Haigh:

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

50.7 Councillor James moved an amendment.

50.8 Councillor Chatterton accepted the amendment:

"This Council ~~believes~~ **acknowledges** that the experimental Shared Space at Kimbrose Triangle ~~has not proved successful and presents a danger to~~ **is still a source of concern for** pedestrians, **particularly the visually-impaired**, and motorists alike, and resolves to make a submission to the current consultation being carried by Gloucestershire County Council urging ~~the reinstatement of a pedestrian crossing~~ **further works to be undertaken to improve safety at this location."**

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

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51. EXCLUSION OF PRESS AND PUBLIC

51.1 Moved by Councillor James and seconded by Councillor Dallimore –

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

Minute No.

Description of Exempt Information

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Paragraph 1: information relating to any individual;

and

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

and

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

52. EXEMPT MINUTES

52.1 **RESOLVED** – That the exempt minutes of the Council meeting held on 17 July 2014 be approved and signed by the Mayor as a correct record.

Time of commencement: 19:00 hours

Time of conclusion: 21:55 hours

Chair