



CABINET

MEETING : Wednesday, 15th January 2020

PRESENT : Cllrs. Cook (Chair), H. Norman, Gravells, James, Morgan and Watkins (not present for items 85-88, 90-93)

Others in Attendance

Cllrs Stephens, Hilton, Wilson, Hansdot and Pullen

Managing Director

Corporate Director

Corporate Director

Head of Policy and Resources

Head of Place

Head of Communities

City Growth and Delivery Manager

Democratic Services and Elections Officer

APOLOGIES : None

80. DECLARATIONS OF INTEREST

The Cabinet Member for Communities and Neighbourhoods declared an interest in agenda item 10 (Marketing Gloucester) by virtue of her being Chair of Marketing Gloucester and advised that she would not take part in the discussion or vote on this item.

81. MINUTES

RESOLVED that the minutes of the meeting held on 4th December 2019 be confirmed as a correct record and signed by the Chair.

82. PUBLIC QUESTION TIME (15 MINUTES)

A member of the public who represented Gloucester business interests advised Members that he had experienced city Council meetings since 1956 and perceived a decline in positivity over the past decade. In relation to agenda item 10 (Marketing Gloucester) he asked if Councillors across all parties could unite to promote the city and maintain Marketing Gloucester (MGL) as independent in order to take advantage of funding opportunities. The Leader of the Council agreed with the aspiration expressed. He commented that he believed all Councillors wanted the best for the city but differed in their views of how to achieve that goal. The

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Cabinet Member for Culture and Leisure reiterated the importance of a positive approach and commented that despite robust discussions at the special MGL meeting of the Overview and Scrutiny Committee (19 December 2019) he understood that everyone wanted to move forward together towards a positive outcome in the matter.

A resident of Gloucester and former employee of MGL asked why a Human Resources company (which in their opinion was not an independent company) was engaged to investigate allegations they had made about the former Chief Executive and financial irregularities. The Corporate Director in his capacity as Monitoring Officer advised Members that the question could not be answered as the appointment had not been made by the Council.

The resident referred to whistleblowing allegations they had made to the Cabinet Member for Regeneration and Economy, then Chair of the MGL Board, and enquired as to why the MGL Chief Executive had been allowed to remain self-employed and if the bookkeeper was dispensed with. Regarding the Chief Executive the Cabinet Member for Regeneration and Economy advised that it was not appropriate to discuss matters relating to individual persons. He further advised that the bookkeeper question was for the MGL Board to answer.

A Gloucester business owner expressed concern at a perceived lack of transparency around MGL and the funds it had been granted from the Gloucestershire Local Enterprise Partnership (GfirstLEP). He sought reassurance that control would be asserted and the funding directed properly. The Leader of the Council noted his concerns and assured him that the issues would be addressed in the consideration of agenda item 10.

The business owner commented that oversight and management issues were becoming apparent from 2017. He sought confirmation that lessons had been learnt. The Leader of the Council agreed that although MGL had done a good job in many respects, shortfalls in areas such as oversight had been identified and confirmed that Members will work together to ensure what develops is good for the city.

83. PETITIONS AND DEPUTATIONS (15 MINUTES)

There were no petitions or deputations.

84. LEADER AND CABINET MEMBERS' QUESTION TIME (15 MINUTES)

Concerning agenda item 10 (Marketing Gloucester) Councillor Hilton asked how much of the £240,000 credit facility that had been drawn down (Overview & Scrutiny Committee 19 December 2019 minute 6.6) would be used to pay preferential creditors such as HM Revenue and Customs. The Cabinet Member for Performance and Resources stated that the Section 151 Officer would provide a written response.

Councillor Hilton sought confirmation that the MGL Chief Executive had been dismissed as had been reported on Punchline-Gloucester.com and whether he had received a severance payment. The Leader of the Council confirmed the dismissal

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and that questions regarding severance payments should be addressed to MGL itself.

Councillor Hilton noted that the Board of MGL and Council had not initially been aware that MGL owned the subsidiary company UK Digital Resource Innovation Centre (UK:DRIC), (Overview & Scrutiny Committee 19 December 2019 minutes 6.14, 6.35). He sought clarification on why that had been the case. The Cabinet Member for Regeneration and Economy, the former MGL Chair, replied that a number of Board members had been aware and had obtained professional advice on the matter. He stated that as UK:DRIC had no assets or liabilities there were no significant financial implications to report. The Corporate Director, as Monitoring Officer, advised that it had not been a formal reporting obligation.

Councillor Hilton referred to the Gloucestershire Local Enterprise Partnership (GFirst LEP) award of £400,000 to MGL to launch UK:DRIC and enquired if the Council had been made aware of the subsidiary at that time. The Cabinet Member for Regeneration and Economy reiterated that although he had known of the intention from other MGL Board members, he had no knowledge that the company had been set up. He advised that the Council had been aware of the funding award, but that it was a separate matter.

Councillor Hilton further asked if the police were investigating. The Leader of the Council responded that he did not know so could not answer.

Councillor Wilson noted that a question he asked at the Overview & Scrutiny Committee of 19th December 2019 concerning the employment status and personal expenses of the MGL Chief Executive had been omitted from the draft minutes and asked that it be included. The Deputy Leader of the Council gave reassurance that the draft minutes would be amended and that a written response supplied.

In reference to Appendix 3 of agenda item 10 (Marketing Gloucester Finance and Governance Review) Councillor Wilson sought confirmation that the recommendation by the consultants to commission a 'full and comprehensive review of the UK:DRIC project as a matter of urgency' would be acted upon. The Corporate Director advised that a brief to that effect was to be considered by the MGL Board the next day.

85. DRIVING UP ARCHITECTURAL DESIGN IN GLOUCESTER

Cabinet considered the report of the Cabinet Member for Planning and Housing Strategy that advised Members of a plan intended to take steps to drive up the standards of architectural design across the City to be delivered by the City Growth and Delivery service.

The Cabinet Member for Planning and Housing Strategy thanked the City Growth and Delivery Manager for his work to engage with businesses and architects. He advised Members that this new relationship between planners and the private sector had generated healthy debate and scoped the non-prescriptive framework to raise architectural design standards, promote good practice and elevate both expectations and the profile of Gloucester. The Cabinet Member for Culture and Leisure informed Members that in his experience on the Planning Committee this

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was a new opportunity. He expressed the wish to drive the message forward that Gloucester was striving for excellence. The Cabinet Member for Regeneration and Economy supported the recommendations and reminded Members of examples where good quality design had been achieved recently including at the Provender building on Bakers Quay and the Transport Hub.

RESOLVED to adopt the recommendations summarised at Appendix 1 of the report.

86. TRANSFER OF HUCCLECOTE HAY MEADOWS EAST SITE OF SPECIAL SCIENTIFIC INTEREST (SSSI) TO GLOUCESTER CITY COUNCIL

Cabinet considered the report of the Cabinet Member for Environment that updated Members on the current situation relating to the use and ownership of Hucclecote Hay Meadows East and recommended that the City Council accept ownership of the site contingent on receipt of a commuted sum of £124,000 from Bovis Homes.

The Cabinet Member for Environment outlined the merits of ownership of the site as an area for the whole city to enjoy.

RESOLVED that subject to confirmation of receipt of a commuted sum of £124,000 and satisfactory deduction of title, the freehold interest in Hucclecote Hay Meadows East be transferred to the City Council. The transfer to be subject to such conditions as the Head of Place in consultation with the Cabinet Member for Environment and Council Solicitor consider appropriate.

87. PROCUREMENT OF PRIVATE SECTOR ENVIRONMENTAL CRIME ENFORCEMENT CONTRACTOR

Cabinet considered the report of the Cabinet Member for Environment that sought approval of Members to tender for an enviro crime enforcement service over a 5 year period to replace or carry on from the existing contract with 3GS (UK) Limited.

The Cabinet Member for Environment highlighted the key aspects of the report. He informed Members that he had observed benefits such as increased cleanliness over the last 5 years and stressed the importance of keeping up the good work.

RESOLVED that:

- (1) the City Council carry out a procurement for a private sector organisation to deliver enforcement services against environmental crime for a five-year term.
- (2) should the procurement be successful, authority is delegated to Corporate Directors to award the contract to the chosen bidder with the terms being agreed in consultation with the Council Solicitor.
- (3) the City Council extend the current contract with 3GS(UK) Limited for a period up to three months to allow sufficient time for the procurement and contract award to be carried out.

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88. MARKETING GLOUCESTER

Cabinet considered the report of the Cabinet Member for Culture and Leisure and the Cabinet Member for Performance and Resources that reported on the findings and recommendations of the finance, governance, strategic and operational review of Marketing Gloucester commissioned by the Board of Marketing Gloucester (MGL) and sought for future actions to be agreed.

The Cabinet Member for Culture and Leisure drew Members' attention to the diverse range of successful events delivered by MGL (3.2) and commended to them the commitment and passion for the city of the MGL staff that he had personally observed. He emphasised the importance of building on their achievements. The Cabinet Member for Culture and Leisure set out each recommendation (2.1) in detail and placed them in the context of moving forward on a sound financial basis. The Cabinet Member for Performance and Resources echoed the points made about the dedication demonstrated by MGL staff and expressed her wish to reassure and give clarity to them. She stressed the importance of recommendation 2.1.7 (to support the Board of MGL) and confirmed additional help would be provided to ensure good governance going forward. The Cabinet Member for Performance and Resources further commented that investing in MGL would be to the good of the city and the Council's recent property investments in the city centre such as Kings Walk, Eastgate Shopping Centre and St Oswald's Retail Park. The Cabinet Member for Regeneration and Economy reminded Members that those sites were about more than retail and that a report on festivals and events was to be considered by Cabinet in February 2020. The Cabinet Member for Environment reiterated that it was essential for the good work done by the MGL team over the years be maintained and if possible improved upon.

RESOLVED:

- (1) to note and welcome the review reports and thank the report authors and the city and sector stakeholders, MGL staff and Directors, councillors and officers who participated in the review;
- (2) to endorse the proposal that Gloucester needs an effective, dynamic and collaborative Place Marketing Organisation (PMO) and that MGL should refocus its efforts to deliver this requirement;
- (3) to bring back in-house the budget, seconded staff and commissioning responsibilities for the delivery of the City Events Programme;
- (4) to work with MGL to reshape and resize the Board to ensure that the Council's interests are equitably represented, that there is an independent Chair and appropriate mix of executive and non-executive Directors and that the Directors have the necessary skills and experience to provide effective governance and management of the company

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- (5) to appoint one additional City Council representatives to the Board of MGL
- (6) to recommend to the Board of MGL the urgent appointment of an interim Managing Director to work with the Board to determine the Company's vision, mission and purpose, its business plan, its staffing structures, skills needs and budgets; and for this to include a review of best practice nationally and locally, including Marketing Cheltenham and appropriate risk assessments;
- (7) to support the Board of MGL in putting in place formal and transparent financial policies and procedures to ensure effective financial management, oversight and reporting;
- (8) to work with the Board of MGL and GFirstLEP on a priority review of the delivery and operation of the UK:DRIC;
- (9) to engage with the Boards of MGL and the Gloucester BID on a possible review of the support, administration and events delivery provided to the BID by MGL;
- (10) to authorise the Corporate Director (Transformation) in consultation with the Cabinet Member for Culture and Leisure to negotiate and enter into revised Articles and Service Level Agreement and other related legal documentation, on terms approved by the Council Solicitor and s151 Officer, in order to implement those above mentioned recommendations.

89. PUBLIC SPACES PROTECTION ORDERS (PSPOS) UPDATE REPORT

Cabinet considered the report of the Cabinet Member for Communities and Neighbourhoods that updated Members following the PSPO report which went to Council in 2018 and how the Public Spaces Protection Orders (PSPOs) and initiatives to tackle street-based nuisance have been working over the past year.

The Cabinet Member for Communities and Neighbourhoods summarised the background to the report and feedback received since PSPOs were introduced, which had been positive. She emphasised that the approach was one of engagement and prevention rather than enforcement and that the situation would continue to be carefully monitored. The Cabinet Member for Environment reminded Members that PSPOs were one of many initiatives to improve the city centre and of the importance of coordination between them. The Cabinet Member for Performance and Resources relayed her experience as former Chair of the Licensing and Enforcement Committee where people concerned at issues such as street drinking had commented that they were seeing a real difference in the wake of such initiatives.

RESOLVED that:

- (1) ongoing work of PSPOs and Street Aware be endorsed

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- (2) proposals contained in this report be endorsed–
- a. That existing PSPOs as mentioned in paragraph 3.2.1 are next reviewed in 2022
 - b. That any gating-order type PSPOs are reviewed on a three-yearly basis
 - c. That begging continues to be dealt with via the Street Aware partnership initiative rather than be included in a PSPO
 - d. That street trading and entertainment be incorporated in to the City Council's enforcement policy rather than incorporated in to a PSPO which would duplicate existing legislation
- (3) it be endorsed that the Council's 'engage, support, enforce' approach continues as its primary means of dealing with street based nuisance, with PSPOs used as a supporting tool.

90. LOCAL COUNCIL TAX SUPPORT SCHEME 2020/21

Cabinet considered the report of the Cabinet Member for Performance and Resources that sought approval to amend the Local Council Tax Support Scheme for 2020/21.

The Cabinet Member for Performance and Resources drew Members' attention to the discussion of this item at the Cabinet meeting of 6th November 2019 when the decision was deferred (minute 64).

RECOMMENDED that:

- (1) the changes recommended to the 2019/20 Local Council Tax Support Scheme for 2020/21 be adopted as the approved scheme for Gloucester City Council
- (2) The scheme approved at (1) above be updated to align with any legislation changes in January 2020 and to be implemented from 01 April 2020

91. DISPOSAL OF HERBERT, KIMBERLEY AND PHILPOTTS WAREHOUSES

Cabinet considered the report of the Cabinet Member for Regeneration and Economy that updated Members on the progress of the disposal of this key interest and sought to authorise continued negotiations.

The Cabinet Member for Regeneration and Economy stated that a number of offers from developers had been made, but that there was now a preferred bidder. He emphasised the importance of moving forward quickly to give the site a new and beneficial use. The Cabinet Member for Environment commented that reports in the press on the identity of the preferred bidder were purely speculative.

RESOLVED that:

- (1) the actions taken to date be noted

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- (2) the Property Commissioning Manager be authorised to continue negotiations with the interested parties and, in consultation with the Cabinet Member for Regeneration and Economy and the S151 Officer, to accept an offer of an assignment of the existing leases or the grant of a new lease, which in the opinion of external advisers represents best consideration provided that:
- a. The consideration shall be payable in full upon the assignment or grant of new lease; and
 - b. The transaction shall be an outright assignment or grant of lease at arms' length, without any obligation for a continuing relationship with the Council other than as landlord

92. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED that the press and public be excluded from the meeting during the following item of business (Agenda item 15) 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 this item there will be disclosure to them of exempt information as defined in Schedule 12A of the Local Government Act 1972 as amended.

93. KINGS QUARTER DELIVERY PROPOSAL KINGS SQUARE TENDER UPDATE

RESOLVED as per the recommendations in the confidential report.

Time of commencement: 6.00 pm

Time of conclusion: 7.05 pm

Chair