



GENERAL PURPOSES COMMITTEE

MEETING : Thursday, 11th January 2024

PRESENT : Cllrs. Taylor (Chair), Evans, Hilton, Hudson, Hyman, Williams, Wilson and Ackroyd

Others in Attendance

Policy and Governance Manager

Monitoring Officer

Chair of Independent Remuneration Panel

Democratic and Electoral Services Team Leader

Democratic Services and Elections Officer

APOLOGIES : Cllr Kubaszczyk (Vice-Chair)

7. DECLARATIONS OF INTEREST

7.1 There were no declarations of interest.

8. MINUTES

8.1 The minutes of the meeting held on 19 June 2023 were confirmed as a correct record and signed by the Chair.

9. PUBLIC QUESTION TIME (15 MINUTES)

9.1 There were no public questions.

10. PETITIONS AND DEPUTATIONS (15 MINUTES)

10.1 There were no petitions and deputations.

11. REVIEW OF MEMBERS' ALLOWANCES 2024

11.1 Mr Graham Russell, Chair of the Independent Remuneration Panel presented the report. He advised that the Panel had undertaken a minor review

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following a detailed review of Members' allowances in 2023 and had identified a number of recommendations, summarised as follows:

- The Basic Allowance and Special Responsibility Allowance (SRA) for the Vice Chair of the Overview and Scrutiny Committee were both reviewed, but no changes were proposed at this time; however, the Panel reasserted the recommendation that any flat rate pay increase awarded to officers should be applied to Members' allowances.
- A new structure for the SRAs for Group Leaders and Deputy Group Leaders was proposed, which would also see the deletion of the two Opposition Group maximum, making these those SRAs available to any number of Groups. The Panel agreed that all political Group Leaders had an important and equal role to play in the good governance of the Council. On that basis they had recommended that each Group Leader and Deputy Group Leader should receive an equal amount to reflect that contribution, supplemented by a variable amount according to group size. The Panel had determined a set of figures and bands for the variable element which they believed to be appropriate and could be applied to any future political composition of the Council.
- The Panel had noted the limited take up of the dependent and childcare allowances available to support Councillors fulfil their Council commitments. Mr Russell noted that this was a national issue, due in part to the required annual publication of allowances received. Despite this, the Panel were keen to ensure that those allowances were reflective of the real costs incurred, and therefore recommended that they be increased to a more realistic figure, which could assist with removing the barriers for those interested in standing for election.

11.2 Councillor Hilton asked how the Panel had arrived at the bands for the Group Leader and Deputy Group Leader allowance and noted that he would have opted for 2-4, 5-11 and 12-19. Mr Russell explained that, while the Panel considered the proposed bands to be reasonable, they were not wedded to them and would not object if the Council decided to adjust them.

11.3 Councillor Williams commented there was a lack of awareness of the dependent and childcare allowances amongst some Councillors. With the upcoming elections, Councillor Williams suggested that prospective candidates should be informed of the allowances available to them by the respective political Groups.

11.4 The Chair commented that the childcare allowance had also seen a low take up, but welcomed the recommendation that it be amended to ensure that it always reflected the living wage. He added that political Groups do encourage their Members to take advantage of the allowances made available to them, but that a lot of Councillors rely on family and friends to provide childcare cover so that they don't claim expenses.

11.5 Mr Russell advised that the next full review would be undertaken in 2027 however the Scheme would continue to be monitored on an annual basis.

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- 11.6 The Chair suggested that the Panel could review the bands for the Group Leader and Deputy Group Leader allowances at the next review by which time the Council would also have a clear indication on the political make-up of the Council.
- 11.7 Councillor Hilton supported this and noted that the workload for those post-holders would be dependent on whether the Council had a majority Administration or as in a position of no overall control.
- 11.8 Mr Russell recognised that the Panel may be requested to look at other parts of the scheme which may fit better with the make up of the Council following the May elections.
- 11.9 **RESOLVED TO RECOMMEND TO COUNCIL** that the recommendations contained in the Report of the Independent Remuneration Panel (Appendices 1) be approved.

12. REVIEW OF POLLING DISTRICT AND POLLING PLACES

- 12.1 The Committee considered the report of the Returning Officer concerning the recommendations for the compulsory Review of Polling Districts and Polling Places.
- 12.2 The Policy and Governance Manager summarised the report as follows:
- The review had followed the same process as previous reviews, with increased emphasis on accessibility as required by the Elections Act 2022 and an additional aim of identifying alternative locations for any schools which were currently used as polling stations.
 - A full assessment had been conducted of each existing and proposed polling station and a public consultation had taken place, resulting in valuable input from Gloucestershire Sight Loss Council.
 - No changes were proposed to polling district boundaries, however the Returning Officer proposed to change five polling places, three of which were joint stations and therefore a total of eight polling districts would be affected by the proposed changes; in each case, Ward Councillors had been consulted and those who had responded supported the proposed changes.
 - It had not been possible to provide suitable alternatives for all the schools used as polling districts, however, four of the five proposed venue changes had been moved away from a school or an educational setting.
 - A further interim review would take place after the May 2024 elections to implement any changes required by the Review of the Gloucestershire County Council Division boundaries.
- 12.3 Councillor Williams welcomed the new venues that moved polling places away from schools as it could be very disruptive to both schools and families when the school had to close for elections.
- 12.4 General Purposes Committee **RESOLVED TO RECOMMEND** to Council that:

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- (1) The following proposals from the Review of Polling Districts and Polling Places Review be approved:
 - a. That the polling station BT3 be moved to the Ukrainian Association.
 - b. That the polling station E3 and KW3 be moved to Gloucester Old Boys RFC.
 - c. That the polling station H1 and H2 be moved to St Philip and St James' Church.
 - d. That the polling station M3 and M4 be moved to The Chapel, Seymour Road.
 - e. That the polling station W2 be moved to St Mary's Congregational Church.

- (2) Where a decision is required at short notice and it is not possible to await a decision of Council, power to designate polling places in accordance with section 18 and 18B of the Representation of the People Act 1983 be delegated to the Managing Director following consultation with Group Leaders and the relevant Ward Councillors.

13. CONSTITUTIONAL CHANGES

13.1 The Committee considered the report of the Head of Paid Service concerning the proposed changes to the Officer Code of Conduct and the Planning Committee Functions. The report also sought authority to update the Council Procedure Rules in relation to Questions by the Public Question; Petitions and Deputations from the Public; questions by Members and Motions on Notice.

13.2 The Monitoring Officer presented the report and provided a summary of the proposed changes as follows:

13.3 Officer Code of Conduct

- The Officer Code of Conduct had been updated to reflect the changes made to the Members' Code of Conduct in 2023, including mirroring the duty placed on Members to act in a professional manner to maintain public confidence in the Council as a whole.
- Further clarification of the expectations relating to personal relationships between Officers and Officers and Members had been included.
- Provisions relating to the use of substances which could have an impact on Officers' ability to carry out their role had been reinforced.
- It was proposed that provisions relating to secondary employment be extended from Officer at an F Grade and above only to all officers as the Council had a duty to take reasonable measures to protect the wellbeing of all of its staff.
- Expectations of Officers in relation to the use of Council facilities and systems, as well as social media, had been updated.

13.4 The Monitoring Officer noted that any changes to the Code would be subject to agreement with the Trade Unions and a meeting had been scheduled to discuss this with them.

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- 13.5 In response to a question from the Chair relating to secondary employment to those Officers on Grade F, the Policy and Governance Manager advised that this grade included some Team Leaders and some below Team Leader level.
- 13.6 The Monitoring Officer added while some Council's prohibited any secondary employment, others permitted it but required all staff to obtain permission from the Council. She advised that guidance would be provided to those responsible for determining requests to ensure that the individual's wellbeing was a factor in consideration.
- 13.7 In response to a question from the Chair enquiring whether any Officers currently engage in secondary employment, the Monitoring Officer confirmed that there were Officers who held two jobs.
- 13.8 Councillor Hilton asked how the provisions affect Officers who held a high-level job share position or only worked three days a week due to a secondary employment. The Monitoring Officer advised that the decision would be made by the employee's Line Manager and would be part of their terms and conditions. The Secondary Employment Policy would be secondary to any signed contract between the City Council and the employee.
- 13.9 The Committee confirmed its support for the revised Officer Code of Conduct.
- 13.10 Changes to Functions of Planning Committee
- Where a Section 106 was required, it would only be required for the delivery of onsite affordable housing, these would not automatically be referred to Committee. 40% of the housing would be required to be built onsite, with no other contributions, which could be dealt with under delegated powers.
 - Where a Planning Officer recommended a change of use for hot food takeaway, and no objections received during the consultation period, this matter would not be presented to Planning Committee and would result in a recommendation for approval.
 - A Ward Member not be required to complete a pro-forma in order to refer a planning application to Committee, a written request would suffice.
 - Further clarification was provided in relation to applications where a matter of technical appraisal, fact or legal opinion, or has a fixed determination period meant that it could not be referred to Planning Committee. This was in alignment with neighbouring authorities.
- 13.11 Councillor Wilson asked whether, if no objections were received by members of the public or consultees, would an elected Member still be able to request that a recommendation for a change of use for hot food takeaway be presented to Planning Committee. The Monitoring Officer confirmed that this would be acceptable and did not affect a Ward Member's right to refer a decision to Committee.
- 13.12 The Chair commented that, provided Ward Members ensured objections were received before the end of the consultation period and with valid planning reasons, they could be presented to Planning Committee. The Chair added

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that a Ward Member could also object to a planning application for a hot food takeaway in their capacity as a member of the public.

13.13 The Committee confirmed its support for the proposed changes to the functions of the Planning Committee.

13.14 Changes to the Council Procedure Rules

- Rule 10 - Questions by Members of the Public – changes proposed to align with the arrangements for Councillors, whereby responses are published in advance and a verbal supplementary question is permitted at the meeting. A new limit of three questions was proposed as the current limit of one question per person as not often enforced.
- Rule 11 – Petitions and Deputations from the Public – to introduce a notice requirement to ensure that a substantive response could be provided at the meeting and petitions could be handled in accordance with the Council's Petition Scheme.
- Rule 12 – Questions by Members – changes proposed to ensure that Group Leader priority for questions to Cabinet Members was applicable to any number of political groups and to confirm a limit of three questions per Member to Chairs of Meetings.
- Rule 13 – Motions on Notice – options were proposed to handle the recent increase in Motions of Notice, such a limit of the time spent on Motions or a limit on the number of Motions that a Member can move or second, and proposals around the use and retention of other parts of the Rule.

13.15 Councillor Hilton commented that the proposals relating to public questions were sensible and similar to Gloucestershire County Council. He commented that Motions on Notice generally worked well, but highlighted the recent increase in the number submitted for each Council meeting. He advised that he was opposed to any selection process and preferred that Members be limited to moving or seconding three motions per Council meeting, with no time limit imposed. With regard to the use of Rule 13.5, which enabled motions to be referred to other decision-making bodies, Councillor Hilton advised that Members expected their Motions to be debated by Council and the Rule should be deleted.

13.16 Councillor Williams stated that the proposals would help keep the meeting more structured.

13.17 The Chair confirmed his supported for the views expressed by Councillor Hilton.

13.18 With regard to Rule 13.7, which enabled Motions not relevant to the duties and powers of the Council to be ruled out of order, Councillor Wilson urged caution on its use, as it was important that Members could bring Motions forward that acknowledged and showed support for issues that affected communities in Gloucester, including national and international matters.

13.19 Councillors Hilton and Williams echoed Councillor's Wilson's comments and Councillor Williams indicated that it was necessary to retain the Rule so that

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the Head of Paid Service, in consultation with the Mayor, could properly consider the appropriateness of Motions, though this should not prevent Motions on the types of issues highlighted by Councillor Wilson.

13.20 The Chair proposed that Rule 13.7 was retained, but was not used to rule out issues of national or international significance if they affected residents and communities in Gloucester.

13.21 In summary, General Purposes Committee agreed to recommend the following to Council in respect of the Council Procedure Rules:

- The proposed changes to questions by members of the public;
- The proposed changes to petitions and deputations by the public;
- That each Member be permitted to move or second a maximum of three motions at each full Council meeting;
- Deletion of Rule 13.5.
- Retention of Rule 13.7, to be utilised appropriately.
- The proposed changes to the rules relating to disruption by members of the public
- The proposed changes relating to webcasting and recording meetings.

13.22 The Monitoring Officer undertook to draft the outstanding changes to the Council Procedure Rules ready for consideration by Council.

13.23 RESOLVED TO RECOMMEND TO COUNCIL

- (1) That the updated Officer Code of Conduct set out in Appendix 1 is adopted.
- (2) That the updated Planning Committee Functions as set out in Appendix 2 are adopted.
- (3) That the updated Council Procedures Rules 10, 11, 12, 13, 24 and 25 in Part 4 of the Constitution set out in Appendix 3 are adopted, subject to the agreed changes to Rule 13 as summarised at paragraph 7.20 above (bullet points 3, 4 and 5).

Time of commencement: 6.00 pm hours

Time of conclusion: 6.45 pm hours

Chair