



## COUNCIL

**MEETING** : Thursday, 12th September 2013

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

### **Others in Attendance**

Julian Wain, Chief Executive

Peter Gillett, Corporate Director of Resources

Martin Shields, Corporate Director of Services and Neighbourhoods

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

Penny Williams, Democratic and Electoral Services Manager

**APOLOGIES** : Cllrs. C. Witts, Field and Beeley

### **29. MINUTES**

**RESOLVED** that the minutes of the meeting held on 18 July 2013 be approved and signed by the Mayor as a correct record.

### **30. DECLARATIONS OF INTEREST**

Councillor Gravells declared a non-prejudicial interest in agenda item 8 (Draft Joint Core Strategy) as a Member of Gloucestershire County Council.

Councillor Durrant declared a non-prejudicial interest in agenda item 8 (Draft Joint Core Strategy) by virtue of his employment.

Councillor Brown declared a non-prejudicial interest in agenda item 11 (Memorandum of Understanding) as he had signed the original memorandum during his mayoral year.

Councillor Lewis declared a personal non-prejudicial interest in agenda item 13, (Notice of Motion) by virtue of his employment.

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Councillor Smith declared a non-prejudicial interest in agenda item 13 (Notice of Motion) by virtue of her employment.

Councillor James declared a personal and non-prejudicial interest in agenda item 13 (Notice of Motion) by virtue of his employment.

**31. PUBLIC QUESTION TIME**

Alice Ross, a member of the public, asked the following question:-

How can there be a meaningful consultation on the Joint Core Strategy when one of the most crucial reports, namely on transport, has only just been commissioned, will not be available during the consultation period and will only be completed in January 2014? And, would Councillors agree that it and other missing reports on infrastructure, sustainability, viability and health risk should actually have formed the basis for the whole strategy and not be an afterthought with luck added just in time for the public consultation?

The Leader of the Council responded that, without prejudging the decision of Council on the matter, he could guarantee that there would be a genuine consultation. He hoped that people would engage with the consultation as their views were important to the Council and he advised that there was still much work to be done and the detail would follow.

Richard Lloyd, a member of the public, asked the following question:-

The strategic housing allocation was silent on the issue of phasing and would brownfield sites be developed before greenfield allocations?

The Leader of the Council responded that the Council was keen to see further brownfield regeneration as some brownfield sites had already been successfully developed. He noted that brownfield development in the City served a different market to the Greenfield development proposed in the strategy.

**32. PETITIONS AND DEPUTATIONS**

There were no petitions or deputations.

**33. ANNOUNCEMENTS (COUNCIL PROCEDURE RULE 2(VII))**

The Mayor made the following announcements:-

Gloucester History Festival 5-20 September. The Mayor drew Members' attention to the programme of talks and events.

Civic Service – 29 September. The Mayor hoped that as many Councillors as possible would attend the service

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Mayor's Christmas Party – 7 December. The Mayor advised that invitations would be issued shortly.

**34. SUSPENSION OF COUNCIL PROCEDURE RULES**

Moved by Councillor James (Leader of the Council) and seconded by Councillor Dallimore (Deputy Leader of the Council) –

**RESOLVED that Council Procedure Rules be suspended to allow the relevant officers to address the Council in respect of agenda items 8 (Joint Core Strategy), 9 (Gloucester City Enforcement Plan), 10 (Scrap Metal Dealers' Act 2013) and 11 (Memorandum of Understanding – Paju, South Korea).**

**35. JOINT CORE STRATEGY**

The Council considered a report which sought Council approval to publish the Draft Joint Core Strategy for public consultation. An addendum pack containing the minutes of the Planning Policy Sub-Committee of 4 September 2013 and other supplementary information had been circulated.

In presenting the report Councillor James drew Members' attention to the additional recommendation of the Planning Policy Sub-Committee:-

'That the JCS authorities note that, through housing allocations and expected supply across the plan period, the draft Core Strategy meets the needs of the three authorities as a whole. However, taken individually, the needs of each authority are not exactly matched with the supply of homes the Joint Core Strategy is expected to deliver for each area. Following consultation, and taking account of additional evidence produced during this period, the housing and employment allocations will be reviewed to improve this relationship between the need and supply for each area.'

Moved by Councillor James and seconded by Councillor Taylor –

**RESOLVED that the Council**

- (1) Approves for public consultation the Draft Joint Core Strategy, set out in Appendix 1,**
- (2) delegates authority to the Chief Executives in consultation with the Lead Members and the JCS Member Steering Group, to make any necessary minor amendments to the draft JCS as considered appropriate by the three JCS Councils prior to publication, and;**
- (3) That the JCS authorities note that, through housing allocations and expected supply across the plan period, the draft Core Strategy meets the needs of the three authorities as a whole. However, taken individually, the needs of each authority are not exactly matched with the supply of homes the Joint Core Strategy is expected to deliver for each area. Following consultation, and taking account of additional**

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**evidence produced during this period, the housing and employment allocations will be reviewed to improve this relationship between the need and supply for each area.**

**36. GLOUCESTER CITY PLANNING ENFORCEMENT PLAN**

The Council considered a report detailing the City Council's revised Planning Enforcement Plan.

Moved by Councillor James and seconded by Councillor Taylor –

**RESOLVED that**

- 1) the Planning Enforcement Plan at Appendix 1 be approved; and**
- 2) the Terms of Reference for Planning Committee be amended to enable the Planning Committee to approve any future amendments to the Planning Enforcement Plan.**

**37. SCRAP METAL DEALERS' ACT 2013**

The Council considered a report detailing new legislation covering scrap metal dealers and motor salvage operators and proposed changes to the role of the Licensing and Enforcement Committee, the Licensing Enforcement Sub-Committees and Officers within the Council's scheme of delegated functions.

In presenting the report Councillor Noakes advised that it was hoped to set a level of fees to be charged across the County. She informed Members that an Information Sheet would be issued in the near future.

Moved by Councillor Noakes and seconded by Councillor Porter -

**RESOLVED that**

- (1) The delegated function to consider appeals against officer decisions and contentious applications for scrap metal dealer licences is delegated to the Licensing and Enforcement Committee with sub-delegation to Licensing and Enforcement Sub-Committees;**
- (2) The delegated function to determine and approve policy for implementation and delivery of the Scrap Metal Dealers Act 2013 is delegated to the Licensing and Enforcement Committee;**

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- (3) The delegated function to determine fees for Scrap Metal Dealers licence applications is delegated to the Licensing and Enforcement Committee;**
- (4) The delegated function of processing minor amendments to policy as a result of pending guidance, is delegated to the Director of Services & Neighbourhoods in consultation with the Chair of Licensing and Enforcement Committee; and**
- (5) The delegated function of considering and approving non-contentious applications for scrap metal dealer licences is delegated to the Food and Licensing Service Manager**

**38. MEMORANDUM OF UNDERSTANDING - PAJU, SOUTH KOREA**

The Council considered a report which provided details of progress on the agreement of a Memorandum of Understanding with Paju in South Korea.

In presenting the report, the Leader of the Council reminded Members that it was Council policy not to pursue further twinning arrangements but that a memorandum of understanding particularly relating to the enhancement of economic co-operation would be useful, subject to the agreement of Paju.

Moved by Councillor James and seconded by Councillor Dallimore –

**RESOLVED that progress be noted and that a further report establishing the agreement be received in due course.**

**39. QUESTIONS BY MEMBERS (COUNCIL PROCEDURE RULE 12)**

**(a) Written questions to Cabinet Members**

Council noted the written question submitted by Councillor Field and the written response as set out on the agenda.

**(b) Leader and Cabinet Question Time**

Councillor Hilton commented on the surrender of covenants in respect of Llanthony Secunda Priory and questioned the removal of measures intended to safeguard the Council's interests in the event of the Trust becoming insolvent.

The Leader of the Council responded that maintenance of the priory was a liability and it did not enjoy the best of settings but the building was in the hands of capable trustees.

He noted that the Council could not take ownership of every heritage building in the City although it had a number of powers available to protect them. He believed that the prospect of full restoration of the priory was more likely with the Trust than the Council and he informed members that the Trust had requested that the covenants be surrendered to facilitate fundraising to secure the building for the future.

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Councillor Haigh referred to the impact of the anticipated cut of 10 per cent in government funding in 2015/16 and the massive challenge that would present to the Council. She asked if services would be threatened.

The Leader of the Council responded that the Council had achieved significant savings with limited impact on services. He hoped that would continue and stressed the importance of reducing the national deficit.

Councillor Haigh believed that the cut in funding would more likely be in the region of 15 per cent and asked what further challenges that would present.

The Leader of the Council responded that the budget planning process had been started. The Council would have to challenge everything it did and make every effort to increase revenues from non-domestic rates.

Councillor Hilton asked whether Council could be assured that the Fleece Hotel would be sold to an appropriate purchaser.

The Leader of the Council noted that the Fleece Hotel had been part of the portfolio of assets acquired from the South West Regional Development Agency. A number of works had been undertaken to the building including stabilisation measures.

Councillor Hilton noted that should the Fleece Inn be sold, the purchaser must have a comprehensive restoration plan and the means to implement it.

The Leader of the Council affirmed that would be required.

Councillor Haigh enquired about heritage buildings in the City.

The Leader of the Council advised that Blackfriars was open throughout the year rather than the occasional days previously. He referred to 68, Westgate and the £100,000 repair package approved for St Michael's Tower. He noted that there were alternatives to ownership available.

Councillor Haigh noted that there were occasions when the best course of action was for the Council to take on a Heritage asset to dispose of it to a buyer with a restoration plan.

Councillor Hobbs asked if efforts were being made to ensure that the number of missed refuse bin collections did not increase.

Councillor Patel, Cabinet Member for Environment confirmed that efforts were being made and missed bin collections were currently less than 0.1 per cent. He advised that he was currently in discussions with Amey.

In response to a question from Councillor Smith, the Cabinet Member for Performance and Resources advised that 72 staff were employed on zero hours contracts.

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In response to Councillor Lewis, Councillor Organ, the Cabinet Member for Housing, Health and Leisure believed that all Members would join him in wishing Scott Redding of Quedgeley all the very best following his recent success in motorcycling sport.

Councillor Durrant asked that, as the suggested motion on the privatisation of Royal Mail could not be debated, would the Leader use his best endeavours to protect the post offices in the City.

The Leader of the Council advised that he had always done so. He was not aware of the recent comments of the National Federation of Sub-Postmasters but he believed that privatisation would be in the best interests of Royal Mail staff and customers.

In response to Councillor Gilson, the Leader advised that although he was not aware of the recent comments made by the Rt Hon. Michael Gove MP regarding food banks, he acknowledged that food banks do a good job.

Councillor Lugg referred to the need for three-bedroom houses and asked if the occupants would receive full housing benefit.

Councillor Organ, Cabinet Member for Housing, Health and Leisure responded that each case was considered, independently on its own merits.

In response to Councillor Bahaimia, Councillor Patel, Cabinet Member for Environment advised that environmental crime was being targeted in 2013- 14.

Councillor Llewellyn asked if the Leader welcomed the rise in employment with 114 fewer people out of work. The Leader welcomed the fall which had been the largest in recent years and was due to working with the Local Enterprise Partnership.

Councillor Mozol asked if there was any intention to acquire land in Quedgeley known as Clearwater for public open space. The Leader advised that the land was in the ownership of the County Council.

Councillor McLellan expressed concern that Council-owned trees were causing damage to property resulting in increases in insurance premiums and he asked if there was a Council policy on trees.

Councillor Patel, Cabinet Member for Environment was not aware of a specific policy for those circumstances.

Councillor Ravenhill asked what was happening in respect of heritage.

The Leader of the Council advised that the City had been awarded third place in a national award. He referred to the current programme of talks, a further series of prison tours and the forthcoming Assize of Ale.

Councillor Brown referred to the small minority of dog owners who failed to clear up after their animals and asked what plans the Cabinet Member for Environment had regarding education and enforcement.

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Councillor Patel, Cabinet Member for Environment, stated that dog fouling was a serious health and safety issue and if details of incidents were reported to the Council they would be followed through. He advised that a series of events was being held at schools throughout the City and the "Paws on Patrol" initiative was proving to be successful.

Councillor Brown asked if any financial penalties had been imposed as a result of the "Paws on Patrol" campaign. Councillor Patel was not able to attribute any specific penalties to the initiative but leaflets and bags had been distributed and he believed that the message was being conveyed to the community.

Councillor Randle enquired about progress with the supermarket at the Railway Triangle.

The Leader of the Council stated that significant progress was being made, shop-fitting was under way and the store was expected to open in November. He stated that good progress was also being made with commercial and other development on the site.

Councillor Toleman asked the Cabinet Member for Environment if the clean up undertaken prior to Gloucester Day had been worthwhile. Councillor Patel believed it helped to build pride in the City, he referred to the efforts of volunteers who among many other tasks, undertook litter picks and cleaned planters and mosaics. He thanked all involved for their efforts.

Councillor Dee congratulated the Cabinet Member for Environment on this year's wild flower planting. He asked if this could be sustained and suggested that poppies be planted to mark the centenary of the outbreak of the Great War in 1914.

Councillor Patel believed that was a great suggestion and thanked the Member. He advised that wildflower plantings had been increased from eight sites to 18 in the current year adding colour and increasing bio-diversity in the City. He noted that Gloucester was the first Bee Friendly city in the country and asked Members to let him have any other suggestions.

Councillor Hilton asked for details of the public art planned for the Railway Triangle and the Leader of the Council reaffirmed the commitment to public art on the site and undertook to provide a written response.

In response to Councillor Lewis, the Leader of the Council stated that he had been pleased to welcome the Sports Minister on his recent visit to the City. The Minister had been impressed with the facilities at Kingsholm Stadium and had also visited the new running track at Blackbridge and the site of the new boathouse.

Councillor Smith noted that 1.45 million people were in part-time employment and the need to treat statistics with caution. She believed that the Council should concentrate its resources on encouraging full time, well paid employment.



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Councillor Durrant asked why litter picks and clean up initiatives were organised during working hours which could be a cause of embarrassment to those Members unable to attend and support the events due to work commitments.

Councillor Patel, Cabinet Member for Environment, responded that these events were held in the week as Council Officers and contractors were working.

The Mayor ruled that the time allotted for questions of the Leader and Cabinet had elapsed.

**(c) Questions to Chairs of meetings**

There were no questions to Chairs of meetings.

**40. NOTICES OF MOTION**

- (1) Moved by Councillor Hilton and seconded by Councillor Wilson –

This Council notes the request from 'Local Works' to consider submitting the following proposal to the government under the Sustainable Communities Act:

‘That the Secretary of State gives Local Authorities the power to introduce a local levy of 8.5% of the rate on large retail outlets in their area with a rateable annual value not less than £500,000 and requires that the revenue from this levy be retained by the Local Authority in order to be used to improve local communities in their areas by promoting local economic activity, local services and facilities, social and community wellbeing and environmental protection.’

This Council notes that if this power was acquired it would present the opportunity to raise further revenue for the benefit of local communities, should the Council wish to use it and that this Council would only levy an 8.5% charge on large retail units based outside the city centre.

This Council resolves to prepare a proposal to submit to the government under the Sustainable Communities Act and to work together with Local Works to gain support for the proposal from other councils in the region and across the country.

The motion was put to the vote and was lost.

- (2) Moved by Councillor Haigh and seconded by Councillor Hobbs -

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This Council notes that since April 1 this year housing benefit claimants deemed to have a spare bedroom have had to pay a 'bedroom tax' . Payment of this element of the rent is leading to an increase of tenants in arrears, debt including the use of unscrupulous payday lenders and calls upon the foodbank.

This Council further notes that:-

- The majority of housing benefit claimants are in work.
- Rents on smaller properties in the private rented sector are often higher than rents in the social rented sector leading to an increase to the housing benefit bill.
- There is a shortage of suitable properties so those who want to move may not be able to.

This Council requests that the Cabinet Member for Housing investigates the impact of the first 6 months bedroom tax on housing benefit claimants and brings a report to Council detailing the number of tenants in arrears, the numbers seeking to move to smaller properties, the demand on agencies offering legal and debt advice and the impact on the work of the Council's Housing team. It should also consider what further actions could be taken by the Council to assist claimants who are struggling to pay and look at examples of what is being done by other Councils and housing providers in England to mitigate the effects of the charge.

Councillor Wilson moved an amendment to replace the phrase 'bedroom tax' with to 'loss of previous spare room subsidy'. Councillor Haigh indicated that she would accept the amendment.

The motion as amended became:-

This Council notes that since April 1 this year housing benefit claimants deemed to have a spare bedroom have lost the previous spare room subsidy . Payment of this element of the rent is leading to an increase of tenants in arrears, debt including the use of unscrupulous payday lenders and calls upon the foodbank.

This Council further notes that:-

- The majority of housing benefit claimants are in work.
- Rents on smaller properties in the private rented sector are often higher than rents in the social rented sector leading to an increase to the housing benefit bill.
- There is a shortage of suitable properties so those who want to move may not be able to.

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This Council requests that the Cabinet Member for Housing, Health and Leisure investigates the impact of the first 6 months of loss of the previous spare room subsidy on housing benefit claimants and brings a report to Council detailing the number of tenants in arrears, the numbers seeking to move to smaller properties, the demand on agencies offering legal and debt advice and the impact on the work of the Council's Housing team.

It should also consider what further actions could be taken by the Council to assist claimants who are struggling to pay and look at examples of what is being done by other Councils and housing providers in England to mitigate the effects of the charge.

The motion was carried.

- (3) Moved by Councillor Smith and seconded by Councillor Haigh -

This Council wishes to join the other 92 Councils who have signed up to Shelter's 'Evict Rogue Landlords' campaign.

This Council requests that an investigation is carried out to determine if there are rogue landlords in our communities, and if so, a report to come back to a future Council, within the next 9 months, detailing the action taken against them and any future work needed to eradicate rogue landlords from Gloucester.

Councillor Organ moved the following amendment which was seconded by Councillor James:-

This Council

- 1) notes the importance of the private rented sector in meeting housing need;
- 2) recognises that the vast majority of landlords in Gloucestershire are responsible and look after their tenants and properties well;
- 3) welcomes the work done by the Council's Private sector Housing Team in dealing with dangerous and low quality accommodation;
- 4) requests that a report is brought to a future Cabinet meeting within the next nine months detailing the action taken to date and proposed in future to raise standards of accommodation in the private rented sector.

Councillor Haigh raised a point of order as she believed that two Cabinet Members were employed as estate agents. The Monitoring Officer advised that declaration of interest was the responsibility of each Member. She noted that the motion, as amended, was to request a report and she advised Members to be circumspect.

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The Leader of the Council advised that he was happy to declare an interest although he worked for a firm of selling agents who operated a landlord accreditation Scheme.

On being put to the vote, the amendment was carried and became the substantive motion.

The motion was carried.

**Time of commencement: 19:00 hours**  
**Time of conclusion: 21:50 hours**

**Chair**