



MINUTES OF COUNTY COUNCIL MEETING

DATE: Wednesday, 17 February 2016 TIME: 10am

VENUE: Shire Hall, Gloucester

Present

Cllr Phil Awford	Cllr Tony Hicks	Cllr David Prince
Cllr Dorcas Binns	Cllr Jeremy Hilton	Cllr Nigel Robbins
Cllr Robert Bird	Cllr Paul Hodgkinson	Cllr Brian Robinson
Cllr Tony Blackburn	Cllr Barry Kirby	Cllr Vernon Smith
Cllr David Brown	Cllr Richard Leppington	Cllr Lynden Stowe
Cllr Jason Bullingham	Cllr Sarah Lunn	Cllr Klara Sudbury
Cllr Chris Coleman	Cllr Stephen Lydon	Cllr Ray Theodoulou
Cllr Dr John Cordwell	Cllr Steve McHale	Cllr Brian Tipper
Cllr Iain Dobie	Cllr Paul McLain	Cllr Pam Tracey
Cllr Bernard Fisher	Cllr Paul McMahon	Cllr Robert Vines
Cllr Jasminder Gill	Cllr Tracy Millard	Cllr Stan Waddington
Cllr Andrew Gravells	Cllr Patrick Molyneux	Cllr Simon Wheeler
Cllr Colin Guyton	Cllr Nigel Moor	Cllr Kathy Williams
Cllr Tim Harman	Cllr Graham Morgan	Cllr Lesley Williams
Cllr Joe Harris	(Chairman)	Cllr Suzanne Williams
Cllr Mark Hawthorne	Cllr Brian Oosthuysen	Cllr Roger Wilson
Cllr Colin Hay (Vice-Chairman)	Cllr Shaun Parsons	Cllr Will Windsor-Clive
	Cllr Alan Preest	

Apologies: Cllr Mike Sztymiak

Honorary Aldermen Liz Boait, Bill Crowther, Barry Dare, Paul Drake, Bill Hobman, Terry Parker, John Sewell, Charmian Sheppard, Gordon Shurmer and Mike Williams

1. MINUTES

The minutes of the meeting held on 2 December 2015 were confirmed and signed as a correct record.

2. DECLARATIONS OF INTEREST

A copy of the declarations of interest is attached to the signed copy of the minutes.

3. ANNOUNCEMENTS

a) Cllr Bill Whelan

Members stood in silence as a mark of respect to Cllr Bill Whelan who had sadly passed away on Saturday, 13 February.

The Chairman stated that he had got to know Bill well during his time on the Council. He said that Bill had served the local community of Churchdown, including Innsworth, as both a county and borough councillor, for a number of years.

Bill had developed a great working relationship with both members and officers, and he was very well liked. Amongst his roles on the Council, he had served on the Appeals Committee, where he brought his knowledge of life as a taxi driver to his role in determining school transport appeals.

One of Bill's most notable achievements was establishing the GL3 Community Hub in Churchdown, which was recognised across the county and further afield as one of the most successful centres of its type.

The Union flag over Shire Hall was flying at half mast in Bill's memory and the Council would do the same on the day of his funeral. The Council's thoughts were with his partner, Kay, and other members of his family at this sad time.

The Chairman invited other members, including Group Leaders, to pay tribute to Bill. They said that Bill would be greatly missed by members, officers and the people of Churchdown. The GL3 Community Hub was just one of the many wonderful things he had achieved for his local community. He was a Churchdown stalwart and a true example of what a local councillor should be. He was a close friend to many members in the chamber and he would be sadly missed.

Bill's funeral would be held in Gloucester Cathedral on Friday, 11 March at 12.30pm.

b) Queen's New Year Honours

The Chairman congratulated the people living in Gloucestershire who had received awards as part of the Queen's New Year Honours.

c) Active Together and Children's Activity Fund

Officers would be available at lunchtime and after the meeting to provide advice to members.

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- d) Members' ICT
Council officers would be in attendance at lunchtime to provide advice and assistance.
- e) Highways
Senior highways officers from Amey, the Council's highways contractor, would be available immediately following the meeting to answer questions.

4. PUBLIC QUESTIONS

Thirteen public question had been received. A copy of the questions and answers was circulated and is attached to the signed copy of the minutes.

The following supplementary questions were asked:

Question 1 - Nigel Wise asked:

As the Council has failed outright to answer five of the formal parking enforcement questions I have presented, has failed to discover and report any legislation which provides lawful authority for APCOA to be involved in any consideration of motorist's representations against penalty charge notices, and has intimated that Council staff appointed to consider motorists' representations are not required to have had formal training or have any relevant qualifications, will the Council now undertake an independent review of its enforcement operations so as to bring all of the identified irregularities into lawful good order and cease purporting irrationally that everything complies with statutory requirements?

In response, Cllr Vernon Smith thanked Mr Wise for bringing this to his attention, but stated that the Council was implementing its car parking policy lawfully and followed national best practice. He asked that if Mr Wise had any additional information then would he share it with senior officers.

Question 2 – Nigel Wise asked:

The confidence of officers is irrelevant. Where does the legislation allow officers to review prepared decisions of APCOA employees instead of considering motorists' representations afresh and impartially?

Cllr Vernon Smith responded by explaining that best practice was being followed and emphasised the professionalism of officers and the support and training available to them.

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Question 3 – Nigel Wise asked

As the Council chooses to argue that they don't need to comply with findings of tribunal adjudicators, why does the Council rely on one adjudication to do nothing to correct their errors, and why didn't the Council apply for judicial review of the 2014 judgment which found the involvement of APCOA was illegal and give the reasons why?

Cllr Vernon Smith reiterated his previous answer. He was happy for officers to look at any new information, but stated that officers were complying with the law.

Question 4 – Nigel Wise asked:

Is it correct that some, at least, of the officers involved in considering motorists' representations have had no formal training and have no relevant qualification in relation to parking enforcement?

Cllr Vernon Smith stated that he disagreed with the statement and that officers had the training and support they needed to carry out their roles.

Question 5 – Nigel Wise asked:

Why did council officers not wish to disturb the status quo, and why had they repeatedly not provided the information he had requested. He stated that there had been an embargo on council officers responding to him including from councillors.

Cllr Vernon Smith explained that this was not factual and that officers carried out a professional, open and transparent job.

Question 6 – Nigel Wise asked

Will the Council now arrange for a face-to-face meeting with me and the Cabinet Member responsible Cllr Vernon Smith including council officers so that these matters can be discussed?

Cllr Vernon Smith explained that if Mr Wise had further information or evidence he wished to bring forward he would be happy to meet to discuss.

Question 12 – Owen Adams asked:

Our community group 'Frack off Our Forest ' thanks the Council for its recognition of our concerns and recognises the need for the Council to maintain neutrality on this issue.

Observing that the outcome of Cuadrilla's appeal against Lancashire County Council's refusal of planning consent for exploring gas drilling is to be determined by the Secretary of State, and this and subsequent planning applications may ultimately be predetermined by Central Government, will the Council strive to reflect the concerns of residents of Gloucestershire by seeking a revocation of licences for gas exploration in Gloucestershire to allow an independent risk assessment to be conducted before any planning process can begin?

Can the Council give an assurance to 'Frack off our Forest' that the evidence we source, both from lead experts and peer-reviewed scientific studies, will be taken into consideration in any future deliberations involving oil and gas exploration in Gloucestershire?

Cllr Will Windsor-Clive emphasised the importance of not predetermining any planning application that might come in the future. Each application would have to be determined in an open and transparent way.

5. PETITIONS

Cllr Chris Coleman presented a petition to Cllr Vernon Smith, Cabinet Member for Highways and Flood, calling for the Council to proceed with the consultation on the railway area parking review in Cheltenham.

Cllr Lynden Stowe presented a petition to Cllr Paul McLain, Cabinet Member for Children and Families and Strategic Commissioning, opposing any closure of the village school in Ebrington.

6. CORPORATE PARENTING

RESOLVED that the report of the Cabinet Member for Children and Young People and Strategic Commissioning be noted.

7. CONSTITUTION COMMITTEE

a) Report of the Independent Remuneration Panel

Cllr Mark Hawthorne, Chair of the Constitution Committee, invited Richard Blamey, Chair of the IRP, to present the panel's recommendations.

Mr Blamey paid tribute to panel member Gwyn Morgan who had sadly passed away in November 2015. He said that Gwyn was well liked and respected by fellow panel members and county councillors.

He said that the panel had welcomed the opportunity to meet members and they had developed a good understanding of their role. The panel were aware of issues around members' ICT, difficulties for some members in attending training courses and the need for a mentoring programme for new councillors. He said that a comparison had been undertaken of the basic allowance paid by county councils across the country and it was evident that members in Gloucestershire were undervalued compared with elsewhere. The average basic allowance for county councils was £10,300.

The IRP recommendations would increase the basic allowance from £9,100 to £10,000 with special responsibility allowances maintained at their current value for 2016-17 and 2017-18. He recognised that this would break the 'building blocks' approach with special responsibility allowances no longer being a multiple of the basic allowance. He said that this would need to be reviewed in future.

Cllr Hawthorne thanked Mr Blamey and the IRP for their diligent work in reviewing the allowances. He recognised that the review had been more thorough than many of those undertaken elsewhere. He believed, however, that it would be inappropriate to increase the basic allowance by such a significant amount when the Council was facing severe financial pressure. He urged members to consider the wider context in light of the difficult financial decisions that would need to be taken in the next two years.

Cllr Hawthorne proposed and Cllr Will Windsor-Clive seconded an amendment that the allowances be maintained at their present level for 2016-17 and 2017-18 with the IRP being requested to undertake a review of the structure of the current allowances scheme following the May 2017 election.

A number of other members spoke in support of the IRP recommendations. They questioned the value in having an IRP if the Council ignored its recommendations. They believed that it was important that a wider range of people were encouraged to stand as councillors and this was unlikely to happen if the allowances were much lower than those paid elsewhere.

On being to the vote, the amendment was lost.

On being put to a recorded vote, it was

RESOLVED

- i) *To increase the Basic Allowance from £9,100 to £10,000 for a two year period from 1 April 2016.*
- ii) *To maintain all Special Responsibility Allowances as a fixed sum at their 2015-16 level for a two year period from 1 April 2016.*

The voting was as follows:

For (25): Cllrs David Brown, Dr John Cordwell, Iain Dobie, Bernard Fisher, Jasminder Gill, Joe Harris, Colin Hay, Jeremy Hilton, Paul Hodgkinson, Barry Kirby, Richard Leppington, Sarah Lunnon, Steve Lydon, Steve McHale, Paul McMahon, Tracy Millard, Graham Morgan, Brian Oosthuysen, Alan Preest, David Prince, Nigel Robbins, Klara Sudbury, Simon Wheeler, Lesley Williams and Suzanne Williams

Against (24) Cllrs Phil Awford, Dorcas Binns, Rob Bird, Tony Blackburn, Jason Bullingham, Andrew Gravells, Tim Harman, Mark Hawthorne, Tony Hicks, Paul McLain, Patrick Molyneux, Nigel Moor, Shaun Parsons, Brian Robinson, Vernon Smith, Lynden Stowe, Ray Theodoulou, Brian Tipper, Pam Tracey, Robert Vines, Stan Waddington, Kathy Williams, Roger Wilson and Will Windsor-Clive

Abstentions (1): Cllr Colin Guyton

b) Modifications to the petition scheme

RESOLVED

- i) *To approve the revised petition scheme at annex B to the report including the associated flow chart at appendix 1.*
- ii) *To include the petition scheme in part 5 of the Council Constitution under 'codes and protocols'.*

c) Monitoring Officer changes to the Council Constitution

RESOLVED *to ratify the changes to the Council Constitution made by the Monitoring Officer under delegated powers (as shown at Annexes C and D of the report).*

8. POLICY AND BUDGET FRAMEWORK - MEDIUM TERM FINANCIAL STRATEGY AND THE COUNCIL STRATEGY

The Chief Executive explained the procedure that would be followed. Firstly, Cllr Mark Hawthorne, Leader of the Council, and Cllr Ray Theodoulou, Cabinet Member for Finance and Change, would be asked to present the budget recommendations from the Cabinet.

Secondly, in order to reach a position where a substantive motion could be debated, the other groups would be invited to propose amendments to the budget but there would be no debate at that stage. This would be a departure from the normal procedure where only one amendment could be moved and discussed at any one time. The Chairman therefore proposed that under procedure rule 24.1 the following part of procedure rule 13.5 be suspended for the duration of the budget debate:

'Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been dealt with.'

The Vice-chairman seconded the motion and, on being put to the vote, the motion was supported.

Once the amendments had been presented, the Chief Executive advised that the Chairman would call for an adjournment to provide an opportunity for the Group Leaders to reach a common position.

After the adjournment, the Leader of the Council would advise members of those areas where it had been possible to reach agreement. Any amendments which had not been accepted or withdrawn would then be presented by the groups, debated and voted upon.

Thereafter all members would have an opportunity to debate the budget in line with the normal rules of debate. At the end of the debate, the Leader of the Council would have the right of reply.

Finally, a recorded vote would be proposed from the Chairman on the substantive motion, seconded by the Vice-chairman.

Cllr Mark Hawthorne, the Leader of the Council, presented the recommendation from the Cabinet meeting held on 3 February 2016. He said that the Council faced challenges in finding savings whilst meeting increasing demand for services, particularly in adult social care and children's services. The proposed increase in

council tax would be the first rise in five years with a 1.99% rise and a National Adult Social Care Levy of 2%. He stated that the amount of money available was only part of the story and it was as much about how it was spent in meeting the Council's priorities. He noted that the Council continued to deliver efficiencies in a number of areas including the buildings and procurement programmes.

He noted that 93% of the respondents to the public consultation believed that the Council had the right priorities: supporting the most vulnerable, working with communities and individuals to help them do more for themselves and reducing the Council's running costs to get the best out of its assets.

He was pleased that the Government had listened to the concerns around reductions in funding through the Local Government Finance Settlement. Following the Cabinet recommendation, the Government had notified the Council that a transitional grant of £2.475 million would be awarded for 2016-17. He proposed that just over £2 million should be used to improve the condition of Gloucestershire's roads.

Cllr Ray Theodoulou, the Cabinet Member for Finance and Change, seconded the recommendation from the Cabinet. He advised that Mark Spilsbury, Head of Finance, was taking flexible retirement and would no longer be leading on the preparation of the budget. He paid tribute to Mark for his outstanding contribution to the Council and he thanked him for all the support and advice he had provided for members through the budget setting process.

Cllr Jeremy Hilton, Leader of the Liberal Democrat Group, and Cllr Paul Hodgkinson presented the amendments to the budget proposed by the Liberal Democrat Group. They expressed concern at the reduction in Government funding and the impact that this was having on Council services. The condition of the county's roads had deteriorated rapidly over the winter. They called for an increase in funding for the Highways Local Scheme and Traffic Regulation Orders to allow members to address particular concerns in their area.

Cllr Lesley Williams, Leader of the Labour Group, stated that her group would be voting against the budget. She regretted that Government spending cuts were bending public services so far out of shape that they were being stretched to breaking point. She said that national cuts had resulted in a budget which was 'bad for Gloucestershire, bad for residents and bad for local businesses'.

Cllr Alan Preest, Leader of the UKIP Group, believed that there was value in having a cross-party review of the budget as part of the budget scrutiny process. This should involve a review of all service areas with a particular emphasis on areas of discretionary spending. He proposed an amendment to that effect. He was pleased

that the Government had provided additional funding following the lobbying undertaken by the Leader of the Council. He recognised the growing pressure on adult social care and children's services. He was anxious that the MPs in Gloucestershire worked on behalf of the Council to ensure that the Government was aware of the impact of continuing cuts to funding. He was pleased that the 'lengthsman' scheme that had been trialled so successfully in the Forest of Dean was being rolled out across the rest of the county. He welcomed funding for a circular off-peak bus service in the Forest of Dean.

Budget amendments

Conservative Group:

To increase the budget allocation for road maintenance by £2,075,000, with the extra funding being used to improve the condition of Gloucestershire's roads, including by instituting a county-wide 'lengthsman' scheme.

Liberal Democrat Group:

- a) To invest a further £1,192,500 during 2016-17 in the Highways Local Scheme increasing the fund per county division from the current £22,500 to £45,000. The use of this fund for highway improvements to be promoted and agreed with the local county councillor beforehand.
- b) A £100,000 investment to improve the implementation process for traffic regulation orders (TROs), which impose traffic restrictions for safety reasons, by employing a designated TRO Officer and providing additional funds for preparation of new TROs.
- c) To provide free residents' parking permits at a cost £5,000 per annum to all Vehicle Excise Duty (VED) Band A vehicles, which includes electric vehicles, for the first permit only. To be applied for 2016-17 and 2017-18 with a review after two years.
- d) A £50,000 investment to provide improved mental health support to children and young people.
- e) A £45,000 investment to embed a member of Gloucestershire Fire and Rescue Service within adult social care to assist the fire service in helping to improve the health and wellbeing of vulnerable people through 'safe and well' checks.

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- f) To continue with the initiative to fund year 5 pupil visits to Gloucester's SkillZone at a cost of £50,000 per annum. To be available to all Gloucester schools irrespective of their status and to be funded on an ongoing basis.
- g) A £20,000 investment in the Child Sexual Exploitation (CSE) Team to look at gaps in e-safety and to continue the 'in the net' internet safety awareness work.
- h) An investment of £500,000 over two years to realise at least four of the six cycling schemes proposed in the 'Barriers to Cycling' report within the next two years.
- i) A £30,000 investment to carry out an independent study to look at the 30+ air quality management areas and examine solutions to reducing levels of pollution at these particular sites. The study to be overseen by the Gloucestershire Pollution Group (GPG) involving all six districts plus a representative from the County Council. Recommendations to be reported back to the GPG, the Environment and Communities Overview and Scrutiny Committee and the Health and Care Overview and Scrutiny Committee within 12 months.
- j) A £20,000 investment to undertake a detailed analysis of the pollution levels outside Gloucestershire's primary and secondary schools. The findings to be reported back to the Environment and Communities Overview and Scrutiny Committee, Children and Families Overview and Scrutiny Committee and the Health and Care Overview and Scrutiny Committee to determine further action.
- k) A £30,000 investment to carry out an independent review of the procurement process and the contract that was awarded for the Javelin Park incinerator.
- l) A £40,000 investment for a new officer in the Joint Waste Team to promote recycling across Gloucestershire.

UKIP Group:

That the Budget is subject to a cross-party review as part of the budget scrutiny process. This will involve a review of all service areas with a particular emphasis on areas of discretionary spending. The scrutiny review will report ahead of the Cabinet making its final recommendations to Council on the 2017-18 Budget. This Council requests that the Leader of Council and/or relevant Cabinet Member(s) attend each overview and scrutiny committee in advance of the consultation on their proposals for the 2017/18 budget. This will allow councillors on

those committees to consider such proposals and scrutinise them as necessary. This approach should become the established procedure for all future budgets.

The Chairman called for an adjournment to provide an opportunity for the political groups to discuss and agree amendments.

Following the adjournment, the Leader of the Council provided details of those budget amendments which had been agreed without change:

- a) A £100,000 investment to improve the implementation process for traffic regulation orders (TROs), which impose traffic restrictions for safety reasons, by employing a designated TRO Officer and providing additional funds for preparation of new TROs.
- b) To continue with the initiative to fund year 5 pupil visits to Gloucester's SkillZone at a cost of £50,000 per annum. To be available to all Gloucester schools irrespective of their status and to be funded on an ongoing basis.
- c) That the Budget is subject to a cross-party review as part of the budget scrutiny process. This will involve a review of all service areas with a particular emphasis on areas of discretionary spending. The review will report ahead of the Cabinet making its final recommendations to Council on the 2017-18 Budget.

This Council requests that the Leader of Council and/or relevant Cabinet Member(s) attend each overview and scrutiny committee in advance of the consultation on their proposals for the 2017/18 budget. This will allow councillors on those committees to consider such proposals and scrutinise them as necessary. This approach should become the established procedure for all future budgets.

The following budget amendments were accepted subject to amendment:

- a) Increase the budget allocation for road maintenance by £2,075,000, with the extra funding to be used to improve the condition of Gloucestershire's roads. This will include instituting a county-wide 'lengthsman' scheme and increasing the amount for each county division under the Highways Local Scheme from £22,500 to £30,000.
- b) To provide free residents' parking permits for all Vehicle Excise Duty (VED) Band A electric vehicles (one vehicle per applicant and to be funded over two years at a cost £5,000 per annum).

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- c) A £25,000 investment to provide improved mental health support to children and young people.
- d) A £20,000 investment is given to the Child Sexual Exploitation (CSE) Team with advice taken from the Children's Safeguarding Board on how best this can be spent.
- g) A £150,000 investment to realise at least four of the six cycling schemes proposed in the 'Barriers to Cycling' report within the next two years.
- h) A £50,000 investment to carry out an independent study to look at the 30+ air quality management areas and pollution levels outside primary and secondary schools and examine solutions to reducing levels of pollution at these particular sites. The study to be overseen by the Gloucestershire Pollution Group (GPG) involving all six districts plus a representative from the County Council. The recommendations to be reported back to the GPG and to the relevant overview and scrutiny committees within 12 months to allow further action to be determined. Funding in each district area to be subject to match funding from the relevant district council.

The following budget amendments were withdrawn:

- a) A £45,000 investment to embed a member of Gloucestershire Fire and Rescue Service within adult social care to assist the fire service in helping to improve the health and wellbeing of vulnerable people through 'safe and well' checks.
- b) A £40,000 investment for a new officer in the Joint Waste Team to promote recycling across Gloucestershire.

The following amendment, upon being put to the vote, was not supported:

A £30,000 investment to carry out an independent review of the procurement process and the contract that was awarded for the Javelin Park incinerator.

The net cost of the amendments agreed to the 2016/17 budget was approximately £2.475 million. All of the costs were one-off except those relating to the provision of free residents' parking permits for VED Band A electric vehicles (reviewed after two years) and year 5 pupil visits to Skillzone (permanent).

General debate on the Budget

Members thanked officers for all their hard work in preparing the budget papers.

They recognised the value of the work undertaken by a scrutiny task group that had

looked at the recruitment and retention of children's social workers. They were pleased that the recommendations of the task group had been accepted and that £2 million of additional funding had been included in the budget to allow recruitment of more children's social workers.

Cllr Ray Theodoulou, Cabinet Member for Finance and Change, stated that it was still a challenging time for the Council but he was proud that significant savings were being realised through the Meeting the Challenge 2 Programme. Funding was being directed towards the most vulnerable people in the local community. Demand for services, particularly for adult social care and children's services, was increasing year-on-year. He was pleased that the Council was maintaining a £438 million programme of investment in Gloucestershire's infrastructure.

He reminded members about the Public Sector Equality Duty and the need for them all, as decision makers on the Council Strategy and the Medium Term Financial Strategy, to show 'due regard'. The Due Regard Statement formed an integral part of the Council's budget process.

Cabinet Members spoke in support of the budget, noting the investment proposed in highways and flood alleviation, schools, children's social workers, family centres, broadband and adult social care.

Some members spoke against the budget believing that cuts in Government funding would impact most severely on the most vulnerable. They expressed concern that the Council was consistently overspending in some areas. One member believed the Government was overseeing a period of managed decline in local government. Another member questioned the wisdom of freezing council tax year-on-year and then increasing it by 4% in one go.

In summing up, Cllr Hawthorne strongly defended the budget proposals. He said that it was a budget for Gloucestershire, one that would protect the most vulnerable and provide further investment in roads and infrastructure.

RESOLVED

- 1 *That the Council Strategy 2016-2019 be approved.*

- 2 *That, having considered the additional consultation responses and the Public Sector Equality Duty Assessment, approval is given to the MTFs and the revenue and capital budgets for 2016/17, amended to take account of the following changes for one year only (unless indicated otherwise):*
 - a) *Increase the budget allocation for road maintenance by £2,075,000, with the extra funding to be used to improve the condition of*

Gloucestershire's roads. This will include instituting a county-wide 'lengthsman' scheme and increasing the amount for each county division under the Highways Local Scheme from £22,500 to £30,000.

- b) A £100,000 investment to improve the implementation process for traffic regulation orders (TROs), which impose traffic restrictions for safety reasons, by employing a designated TRO Officer and providing additional funds for preparation of new TROs.*
- c) To provide free residents' parking permits for all Vehicle Excise Duty (VED) Band A electric vehicles (one vehicle per applicant and to be funded over two years at a cost £5,000 per annum).*
- d) A £25,000 investment to provide improved mental health support to children and young people.*
- e) To continue with the initiative to fund year 5 pupil visits to Gloucester's SkillZone at a cost of £50,000 per annum. To be available to all Gloucester schools irrespective of their status and to be funded on an ongoing basis.*
- f) A £20,000 investment is given to the Child Sexual Exploitation (CSE) Team with advice taken from the Children's Safeguarding Board on how best this can be spent.*
- g) A £150,000 investment to realise at least four of the six cycling schemes proposed in the 'Barriers to Cycling' report, within the next two years.*
- h) A £50,000 investment to carry out an independent study to look at the 30+ air quality management areas and pollution levels outside primary and secondary schools and examine solutions to reducing levels of pollution at these particular sites. The study to be overseen by the Gloucestershire Pollution Group (GPG) involving all six districts plus a representative from the County Council. The recommendations to be reported back to the GPG and to the relevant overview and scrutiny committees within 12 months. Funding in each district area to be subject to match funding from the relevant district council.*

- 3 That approval is given for the council tax for each valuation band, and to issue precepts on each district collection fund as set out below:*

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Gloucestershire County Council 2016/17 Budget:

	£000
Original 2015/16 Budget	420,032
Inflation	8,470
Cost and spending increases	24,235
Cost Reductions	<u>-32,278</u>
Total	420,459
Less:	
Core Grant	118,244
Public Health Grant	25,943
NHS Funding	11,596
New Homes Bonus	4,480
Education Single Grant	3,592
Education Statutory Responsibility Grant	1,275
Transitional Grant	2,475
Other non-ring fenced grants	2,138
Collection Fund Surplus	5,006
Total to be precepted (Council Tax Requirement)	245,710
Split:	
Adult Social Care Levy (2%)	4,726
All other Council Tax (1.99%)	240,984

	Taxbase	Total Precept
	Total	£
Cheltenham	40,395.30	45,808,712
Cotswold	38,418.10	43,566,546
Forest of Dean	27,655.50	31,361,640
Gloucester City	36,240.70	41,097,350
Stroud	42,148.48	47,796,838
Tewkesbury	31,814.95	36,078,502
Total		245,709,588

- 4 That approval is given to the Capital programme set out in Annex 8 of the MTFs, and delegated authority is given to the Strategic Finance Director to vary allocations between individual schemes in

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consultation with the Deputy Leader and Cabinet Member for Finance and Change.

That the Council approves:

- a) The adoption of the new MRP policy outline in Annex 9 of the MTFS for implementation from 2015-16.*
- b) The Treasury Management Strategy set out in Annex 9 of the MTFS.*

- 5 *That approval is given to the Operational Boundary and Authorised Limits of Borrowing, as set out in the Treasury Management Strategy, at Annex 9 in the MTFS as follows:*

Operational Boundary for External Debt	2015/16	2016/17	2017/18	2018/19	
	Approved	Revised	Estimate	Estimate	
	£m	£m	£m	£m	
Total	352.000	330.000	330.000	330.000	

- a) Noting that the authorised limit for 2016/17 will be the statutory limit determined under section 3 (1) of the Local Government Act 2003.*
- b) That the approval is given to the Prudential Indicators for Treasury Management set out in Annex 9 of the MTFS for*
 - (i) Upper limit of fixed interest rate exposure of £320 million of net outstanding principal sums.*
 - (ii) Upper limit of variable rate exposure of zero of net outstanding principal sums.*
 - (iii) The maturity structure of borrowings as set out in Annex 9.*
 - (iv) The upper limit for principal sums invested for more than 364 days of £120 million.*

- 6 *That Council approves the schools funding set out in Section G and Annex 4 in the MTFS.*

- 7 *That Council note and endorse the Cabinet response to the recommendations of the scrutiny task group on the recruitment and retention of social workers as set out in Annex 1.1 in the MTFS.*

8

That Council delegate to the Strategic Finance Director the production of an efficiency statement within the DCLG deadline, in the event that this is beneficial to GCC financially, based on the approved MTFs, in consultation with the Cabinet Member for Finance and Change.

9

10 *That the Risk Management Strategy 2016-2017 is approved by Council.*

That the Budget is subject to a cross-party review as part of the budget scrutiny process. This will involve a review of all service areas with a particular emphasis on areas of discretionary spending. The review will report ahead of the Cabinet making its final recommendations to Council on the 2017-18 Budget.

This Council requests that the Leader of Council and/or relevant Cabinet Member(s) attend each overview and scrutiny committee in advance of the consultation on their proposals for 2017/18 budget. This will allow councillors on those committees to consider such proposals and scrutinise them as necessary. This approach should become the established procedure for all future budgets.

A motion for a recorded vote had been proposed and seconded by the Chairman and Vice-chairman.

The voting on the substantive motion on the budget was as follows:

For (25): Cllrs Phil Awford, Dorcas Binns, Rob Bird, Tony Blackburn, Jason Bullingham, Andrew Gravells, Tim Harman, Mark Hawthorne, Tony Hicks, Paul McLain, Patrick Molyneux, Nigel Moor, Shaun Parsons, Alan Preest, Brian Robinson, Vernon Smith, Lynden Stowe, Ray Theodoulou, Brian Tipper, Pam Tracey, Robert Vines, Stan Waddington, Kathy Williams, Roger Wilson and Will Windsor-Clive

Against (11): Cllrs Jasminder Gill, Barry Kirby, Richard Leppington, Sarah Lunnon, Steve Lydon, Steve McHale, Tracy Millard, Graham Morgan, Brian Oosthuysen, David Prince and Lesley Williams

Abstentions (14): Cllrs David Brown, Chris Coleman, Dr John Cordwell, Iain Dobie, Bernard Fisher, Colin Guyton, Joe Harris, Colin Hay, Jeremy Hilton, Paul Hodgkinson, Nigel Robbins, Klara Sudbury, Simon Wheeler and Suzanne Williams

Minutes subject to their acceptance as a correct record at the next meeting

9. MOTIONS

No motions had been received.

10. MEMBERS' QUESTIONS

Forty two member questions had been received. A copy of the answers was circulated and is attached to the signed copy of these minutes.

The following supplementary questions were asked:

Question1 – Cllr Sarah Lunnon asked, given the high level public concern, what provision would be made for future monitoring of air quality at critical receptors at local buildings and could the monitoring be put in place to establish a baseline prior to the operation of the residual waste facility.

Cllr Ray Theodoulou explained emissions would be monitored in accordance with official directives by the Environment Agency and that an update report would be provided to Cllr Lunnon and that he was sure the relevant agencies would take account of the concerns the member had outlined. He didn't have specific details of the properties mentioned.

Question 2 – Cllr Lesley Williams asked the Cabinet Member to reflect the need for a universal service for children in proposing a new approach.

Cllr Paul McLain explained that the core purpose of children's centres were to improve outcomes for families and young people. He explained that universality applied to wider children and families services e.g. early years

Question 7 – Cllr Barry Kirby asked whether the member was confident that there would be no applications for fracking in the Forest of Dean and Stroud.

Cllr Mark Hawthorne referred to the session that had been held by scrutiny and that while he did not have reason to believe any applications were forthcoming, any application would need to be handled in an open and transparent way with due process followed.

Question 9 – Cllr Steve McHale asked whether the member had a view on the police precept rise.

Cllr Will Windsor-Clive reiterated his answer in the paper.

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Question 14 – Steve Lydon asked what the Cabinet Member’s view was on a Council that continually under budgeted and overspent.

Cllr Ray Theodoulou stated that he would advise the Council to get their budget in order.

Question 15 – Cllr Steve Lydon asked which of the cash rises within the budget as detailed in the answer, was the Cabinet Member most proud of.

Cllr Ray Theodoulou replied that he was proud of all of them.

Question 16 – Cllr Steve Lydon asked whether the Leader of Council was in favour of fracking.

In response Cllr Mark Hawthorne explained that it was important to look at any specific proposal on its merits through the planning process.

Question 17 – Cllr Steve Lydon asked whether detailed savings targets would be discussed as part of a budget scrutiny task group.

Cllr Ray Theodoulou replied that he would discuss with the member outside of the meeting.

Question 18 – Cllr Bernie Fisher asked if the Cheltenham Borough Council task group on street parking recommended free parking on Sundays, would the County Council follow suit?

Cllr Vernon Smith replied that the Council was always open to listen to proposals.

Question 22 – Cllr Jeremy Hilton asked why Clearwater Drive was designated as a potential school site when there were other locations that would benefit from a school.

Cllr Ray Theodoulou explained that this was not a County Council proposal.

Question 23 – Cllr Jeremy Hilton asked what the Cabinet Member’s view was on Police and Crime Commissioners being able to take control of Fire and Rescue authorities. He believed that Gloucestershire Fire and Rescue Service was best placed to deliver services as part of the County Council.

Cllr Will Windsor-Clive stated that there was cross-party support for the Gloucestershire Fire and Rescue Service and that it was well run and efficient. He did not foresee a Police and Crime Commissioner wishing to take it on.

Question 26 – Cllr Paul Hodgkinson asked if the Cabinet Member could reiterate his understanding of funding around free school meals.

Cllr Paul McLain explained that the expectation was that the funding received in 2014-15 would be a one off, so the 2015-16 allocation would be viewed by schools as supplementary funding.

Question 28 – Cllr Jasminder Gill asked if the Cabinet Member was still confident that no applications for on-shore oil and gas extraction had been received.

Cllr Will Windsor-Clive stated that no applications had been received.

Question 30 – Cllr Klara Sudbury asked for information on the number of successful claims from people tripping and hurting themselves on pavements in Cheltenham in the past 5 years.

Cllr Vernon Smith stated that there were 30 claims in a 5 year period.

Question 31 – Cllr Klara Sudbury asked what consultations the school had done with Leckhampton parents in order to meet the demand in the area.

Cllr Paul McLain replied that a lot of work had been carried out providing an independent analysis with proposals but these had not been taken up by the school. He was happy to meet with Cheltenham members to discuss any opportunities for expansion in the area and to consider alternative ways to manage demand.

Question 33 – Cllr Chris Coleman expressed concern regarding the consultation being undertaken by Bournside School and asked if the Cabinet Member could notify local councillors about any information they had regarding planned changes to the school's catchment area.

Cllr Paul McLain explained that the Council had written to the school to express concerns. He would share the end result when he had been informed.

Question 34 – Cllr Chris Coleman asked if Cheltenham members could meet with the Cabinet Member on the issue of Bournside School.

Cllr Paul McLain agreed to meet with the members, but there were regular seminars on the issue and members were kept informed. He suggested that the meeting be held within a month.

Question 37 – Cllr Chris Coleman expressed disappointment at the lack of a full response to his question asked at the last meeting on the issue of street trees. He asked if the Cabinet Member could provide him with further information regarding to street trees.

Cllr Vernon Smith apologised stating that he had believed that the information had been sent to the Councillor and that it now would be.

Question 41 – Cllr Chris Coleman stated that he had attended a meeting with the county's parking team and he asked what the decision was with regards to the consultation on the Railway Area parking review.

Cllr Vernon Smith advised the member to talk to Cheltenham Borough Council task force on this issue. The Council would wait until the conclusions of that Task Force were available.

11. SCRUTINY REPORT

a) Exploration for unconventional hydrocarbons

Cllr Rob Bird, Chair of the Environment and Communities Overview and Scrutiny Committee, presented the recommendation from the committee meeting held on 13 January 2016. He noted that since the original motion was referred to the committee the national position had changed. He said that a small majority of committee members had requested that the matter be referred back to Council with a recommendation that a letter be sent to the Secretary of State requesting that the process for exploring for unconventional hydrocarbons be halted in Gloucestershire. Some members were mindful that the Council was the statutory minerals planning authority. Those members believed that it was unwise for the Council to express a view at the present time.

Cllr Nigel Moor, the Chair of the Planning Committee, stated that the matter required some careful thought as there was a risk that members supporting the recommendation might be viewed as predetermining the issue. He said that members could be viewed as having a closed mind. A fundamental principle of the planning process was that all the evidence including the views of the public should be considered at the time of the application.

A number of members believed that it was right and proper for the Council to listen to the views of the public and send a message to the Government which recognised their concerns. They noted that they were not considering an

individual application and they could not see why the Council could not comment on an issue which was of such significance to local people.

One member said that the extraction of hydrocarbons was a known cause of climate change, an issue which was of fundamental importance to national security.

Another member stated that exploration to find out what was present was very different to the extraction of unconventional hydrocarbons. He failed to see an issue with taking steps to explore what was there.

Other members questioned the value of writing to the Secretary of State. They remained concerned about the danger of predetermination, not only for individual planning applications but also in respect of approval of the Minerals Local Plan. They were anxious that members were able to determine matters locally. To do that they needed to be able to show that they approached decisions with an open mind. Making statements ahead of the decision making process might open the Council up to legal challenge including judicial review.

Responding to a request for advice, the Head of Legal Services advised that members needed to satisfy themselves that they could approach the decision making process with an open mind and consider the evidence presented in an objective way. She said that it was a matter for individual members to decide whether they wished to participate in the debate or reserve their right to comment until they were required to make decisions on individual applications or the Minerals Local Plan.

On being put to a recorded vote, it was

RESOLVED that Gloucestershire County Council sends a letter to the Secretary of State requesting that the process of exploring for unconventional hydrocarbons in Gloucestershire be halted.

The voting was as follows:

For (21): Cllrs David Brown, Chris Coleman, Iain Dobie, Bernard Fisher, Jasminder Gill, Joe Harris, Colin Hay, Jeremy Hilton, Paul Hodgkinson, Barry Kirby, Richard Leppington, Sarah Lunnon, Steve Lydon, Tracy Millard, Graham Morgan, Brian Oosthuysen, Alan Preest, Klara Sudbury, Simon Wheeler, Lesley Williams and Suzanne Williams

Against (0)

Abstentions (26): Cllrs Phil Awford, Dorcas Binns, Rob Bird, Tony Blackburn, Jason Bullingham, Dr John Cordwell, Andrew Gravells, Tim Harman, Mark Hawthorne, Tony Hicks, Steve McHale, Paul McLain, Patrick Molyneux, Nigel Moor, Shaun Parsons, Nigel Robbins, Brian Robinson, Vernon Smith, Ray Theodoulou, Brian Tipper, Pam Tracey, Robert Vines, Stan Waddington, Kathy Williams, Roger Wilson and Will Windsor-Clive

b) Stroud General Hospital

Cllr Sarah Lunnon expressed concern regarding recent closures of the minor injuries unit at Stroud General Hospital. She asked whether the Health and Care Overview and Scrutiny Committee could look at this issue.

In response, Cllr Iain Dobie, the committee chair, recognised the importance of the issue but said that there was a formal process for raising items. He said that he would speak to Cllr Lunnon outside the meeting to determine the best approach.

RESOLVED *that the scrutiny report be noted.*

12. CABINET DECISION STATEMENT

RESOLVED *that the Cabinet Decision Statement for the decisions taken on 3 February 2016 be noted.*

13. CABINET MEMBER DECISION STATEMENT

RESOLVED *that the Statement of Individual Cabinet Member Decisions for the period 1 November 2015 to 31 January 2016 be noted.*

14. HIGHWAYS PERFORMANCE REPORT

A member asked whether an indicator could specifically be included to reduce harmful emissions from diesel engined vehicles on the highways fleet. He believed that the time was right to make such a commitment.

Cllr Vernon Smith, the Cabinet Member for Highways and Flood, explained that this was complex and there would need to be discussions with officers about how such an indicator could be put in place.

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Cllr Klara Sudbury expressed concern that performance against some of the targets did not reflect her experience on the ground in Cheltenham. She said that she received regular complaints of blocked gullies from residents. She was also finding that restrictions were being put on Highways Local projects that she wished to pursue in her area.

Cllr Vernon Smith stated that he would be happy to discuss the member's particular concerns outside of the meeting.

RESOLVED to note the highways performance report.

The meeting ended at 3.50pm

CHAIRMAN