



FULL COUNCIL MINUTES

Wednesday, 7 December 2016 at 10am

Shire Hall, Gloucester

Present

Cllr Dorcas Binns	Cllr Barry Kirby	Cllr Vernon Smith
Cllr Robert Bird	Cllr Sarah Lunnon	Cllr Lynden Stowe
Cllr Tony Blackburn	Cllr Steve Lydon	Cllr Mike Sztymiak
Cllr David Brown	Cllr Steve McHale	Cllr Ray Theodoulou
Cllr Chris Coleman	Cllr Paul McLain	Cllr Brian Tipper
Cllr Dr John Cordwell	Cllr Tracy Millard	Cllr Pam Tracey MBE
Cllr Bernard Fisher	Cllr Patrick Molyneux	Cllr Robert Vines
Cllr Andrew Gravells	Cllr Nigel Moor	Cllr Stan Waddington
Cllr Tim Harman	Cllr Graham Morgan	Cllr Simon Wheeler
Cllr Joe Harris	Cllr Brian Oosthuysen	Cllr Jack Williams
Cllr Mark Hawthorne MBE	Cllr Shaun Parsons (Vice- Chairman)	Cllr Kathy Williams
Cllr Colin Hay (Chairman)	Cllr Alan Preest	Cllr Lesley Williams MBE
Cllr Tony Hicks	Cllr David Prince	Cllr Suzanne Williams
Cllr Jeremy Hilton	Cllr Nigel Robbins OBE	Cllr Roger Wilson
Cllr Paul Hodgkinson	Cllr Brian Robinson	Cllr Will Windsor-Clive

Honorary Aldermen

Bill Hobman Terry Parker

Apologies: Cllrs Phil Awford, Jason Bullingham, Jasminder Gill, Richard Leppington, Paul McMahon and Klara Sudbury.

Honorary Aldermen Liz Boait, Bill Crowther, Paul Drake, John Sewell, Gordon Shurmer and Mike Williams.

71. MINUTES

The minutes of the meeting held on 14 September 2016 were confirmed and signed as a correct record.

72. DECLARATIONS OF INTEREST

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

73. ANNOUNCEMENTS

- a) Colin Guyton, Drybrook and Lydbrook Division
Colin had stepped down as a county councillor. It was noted that there would not be a by-election as Colin's resignation had been received within six months of the County Council election in May 2017. Members thanked Colin for his service to the Council and wished him well for the future.
- b) Rio Paralympics
The Chairman congratulated the athletes from Gloucestershire who had taken part in the Rio Paralympics. Paralympic medal winners from the county included Andy Lewis from Lydney (Triathlon) and Piers Gulliver from Drybrook (wheelchair fencing).
- c) Remembering Srebrenica
The Chairman advised members that he had recently visited Srebrenica as part of a programme of events to mark the 21st anniversary of the Srebrenica genocide.

The Council formally endorsed the following statement:

- To note that 2016 marks the 21st anniversary of the Srebrenica genocide in Bosnia and Herzegovina when more than 8,000 men and boys were killed.
 - To applaud the work of those involved in the pursuit of justice for the victims and their surviving relatives, including the International Commission of Missing People and the Mothers of Srebrenica.
 - To commend the work of the charity, Remembering Srebrenica, in raising awareness of this tragic and preventable genocide.
 - To support the work being undertaken in communities across Britain to help them learn the lessons of Srebrenica.
- d) Local Authority Challenge
The Chairman congratulated the team of officers from the County Council and Gloucester City Council who won the Communication and Media Award at the Local Authority Challenge event held at Villa Park. The team members were Philip Williams, Jenny Grodzicka, Charlotte Davis, Tanya Davies, John James and Jen Dorman.

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- e) Gloucestershire Music
Members congratulated Gloucestershire Youth Wind Orchestra, the County Choir and Gloucestershire Youth Jazz Orchestra who had performed at the prestigious Music for Youth's Proms at the Royal Albert Hall on 14 and 15 November.
- f) Safeguarding
It was noted council officers would be on hand during the lunch period to provide information on the work of the Safeguarding Boards for both Children and Adults including the responsibilities of elected members.
- g) Apetito
The Chairman advised that the County Council's meals on wheels contractor, Apetito, would be providing lunch for members. Samples would be available of their meals and staff would be on hand to provide more information on the service provided for residents.
- h) ID and access cards for members
New cards would be replacing the existing access cards with effect from 19 December. Members were reminded to wear them when they were at Shire Hall as it was important for the security of the building.

74. PUBLIC QUESTIONS

Seven public questions had been received. The following supplementary questions were asked:

Question 1 – David Willingham suggested that public money had been wasted and that there had been failures in the Section 106 processes and procedures. He asked whether the Cabinet Member could please advise what measures are in place to ensure that these precious pots of public money are spent on time and not squandered by being allowed to expire?

Cllr Nigel Moor explained that the Council was gaining £10m each year from S106. The situation referred to in the original question was regrettable and that it was a one off. Improvements had been identified.

Question 2 – David Willingham suggested that by not providing data in the requested format that there were problems with accountability and transparency in respect of the funds. He asked whether the Cabinet Member could please advise what had been done to ensure that the management of the county's Section 106 holdings was accountable to all. He suggested publishing a comprehensive Section

106 report on the Council's website quarterly so that everyone can see what money was available for which schemes and by when it must be spent.

Cllr Nigel Moor explained that there were over 500 records. He agreed with the importance of transparency and stated that he would look into it.

Question 3 – David Willingham asked: 'Would you be willing to support the Council looking into trialling ground penetrating radar technology on A and B roads in susceptible parts of Cheltenham and reaching out to academia or other partners to support research into the opportunities that new technologies such as ubiquitous sensors could bring to highways maintenance applications?

Cllr Vernon Smith stated that he thought some interesting points had been raised and stated that officers would liaise with him to get some more detail and look at ways that this might be moved forward.

Question 6 – David Willingham asked whether, if he provided officers with details of the inaccessible junctions within Arle Road that were currently missing drop-kerbs, work would be funded and carried out at the same time as the already programed resurfacing works?

Cllr Vernon Smith explained that each county councillor had a highways local budget. He stated that there was some unallocated funding that councillors had available and that if Mr Willingham worked with his local member and highways manager some of these issues might be able to be resolved.

Question 7 – Owen Adams asked: 'For the Council's Emerging Minerals Local Plan to be compatible with Paragraph 109 of the NPPF - to prevent development from contributing to soil, air, water or noise pollution, or land instability, plus Paragraphs 143 and 144 of the NPPF - to ensure mineral developments do not have unacceptable diverse impacts on the environment and human health - will the council adopt a precautionary approach in its Strategy for Oil & Gas and Policy MW06 and amend the draft Minerals Local Plan for Gloucestershire, to avoid rather than only minimise unacceptable impacts to prevent harm, before publication of the plan? He suggested that it be debate by full Council.

Cllr Nigel Moor stated that it was his view that this precautionary principle was embedded within the framework and that the Mineral's Local Plan would go before an independent inspector that would test it against the paragraphs that the individual had referred to. The council had received a huge response to the MLP consultation. Officers were working through the responses and would publish a report in due course.

75. CORPORATE PARENTING

Cllr Paul McLain, the Cabinet Member for Children and Young People and Strategic Commissioning, presented the report. He noted that the Children and Families Overview and Scrutiny Committee had been looking at issues around unaccompanied asylum seeking children in the county. The Corporate Parenting Group would be producing guidance for members in the run-up to the election in May 2017 so that new members were aware of their responsibilities.

The Virtual School Awards were being held that evening to celebrate the achievements of children in care. Referring to the Children's Activity Fund, Cllr McLain encouraged members with unallocated funds to make a contribution, however small, towards projects for children in care.

Cllr Lesley Williams stated that she had recently attended an appreciation evening for people who looked after children in care. She paid tribute to them for all their work and she asked that her thanks be placed on public record.

RESOLVED to note the report of the Cabinet Member for Children and Young People and Strategic Commissioning.

76. PETITIONS

The following petitions were presented to Cllr Mark Hawthorne, Leader of the Council, as Cllr Vernon Smith, the Cabinet Member for Highways and Flood, had stepped out of the meeting.

- a) Cllr Jack Williams presented a petition relating to the safety of a pedestrian crossing near the GL3 Hub in Churchdown.
- b) Cllr Shaun Parsons presented a petition requesting a reduction in the speed limit on the A429 through Kemble.
- c) Cllr Paul Hodgkinson presented a petition relating to the reopening of the 'old A40' (Northleach to Compton Abdale).
- d) Cllr Nigel Robbins presented a petition calling for the speed limit to be lowered in Perrotts Brook, near Cirencester.
- e) Cllr Steve McHale presented a petition calling for a zebra crossing near Robinswood Academy on Matson Avenue in Gloucester.

77. MOTIONS

Motion 782 - Community Support Payments (Fracking) in Gloucestershire

Cllr Barry Kirby and Cllr Graham Morgan, the proposer and seconder of the motion, accepted the changes highlighted below:

This Council notes that the Government have recently proposed a change to their 'fracking' policy to include a personal payment to households within the area of proposed 'fracking' sites.

This Council believes that this is fundamentally wrong, as it could lead to critical environmental decisions being taken away from communities as a whole. This Council reaffirms that the protection of Gloucestershire's environment is a key priority for this authority.

This Council notes its disappointment in the Government for abolishing the Department for Energy and Climate Change. This Council also notes its disappointment that that previous recommendations made by Environment and Communities Overview and Scrutiny Committee have not been supported by the administration. Therefore this Council requests that the Cabinet Member for Fire, Planning and Infrastructure establishes a cross party advisory group to consider those aspects of the Local Minerals Plan that relate to 'Fracking'. This would allow members to represent the concerns of local communities.

This Council asks that the Leader of the Council writes to Gloucestershire's six MPs and the Secretary of State for Business, Energy and Industrial Strategy to urge them to re-evaluate Government policy over the proposed Community Support Payment for fracking.

This Council affirms its opposition in principle alone to any attempt to Frack in the Forest of Dean and other parts of the county.

In proposing the motion, Cllr Kirby noted that although the licence for the Forest of Dean had been returned by the applicant, there could be other applications for licences in the Forest of Dean and other parts of the county. He stated that by offering community support payments the Prime Minister had in effect said that she did not trust Local Government to look after local communities. With the current economic difficulties local people might be tempted to take the money to make ends meet. He was concerned at the disastrous impact on the environment when fracking went wrong as demonstrated by incidents in the USA.

In seconding the motion, Cllr Morgan believed that fracking was fundamentally wrong with operations in one area potentially having an effect much further afield. He referred to drilling in Preston, Lancashire resulting in seismic activity much further south in the country with an epicentre near Birmingham and tremors being felt in Gloucestershire. He also expressed concern at the potential impact on water supplies in areas where fracking was taking place.

Cllr Nigel Moor, the Cabinet Member for Fire, Planning and Infrastructure, stated that there were no licences in Gloucestershire and the geology of the county meant that the chances of fracking were very slim. He believed that the motion was premature and he was concerned that speculating was causing unnecessary alarm amongst residents.

A member expressed concern at the potential safety aspects of fracking. He said that the Government was in effect 'bribing' people with payments. He called upon the Government to invest more in renewable forms of energy such as solar, wind and hydro power.

Another member questioned how setting up an advisory group would fit in with the timetable for the Minerals Local Plan. She said that government, both at a national and local level, had a responsibility to protect local communities. High carbon energy such as that generated by fracking was resulting in serious damage to the environment.

Answering a question, the Monitoring Officer explained that members were entitled to express their views on the matter so long as they took an objective and balanced approach. Members, including members of the Planning Committee, might want to make clear that they were making comments based on the information before them at this time and they remained open to listening to all the arguments.

A member echoed the words of the Cabinet Member and believed that there had been a huge amount of scare mongering with the viability of fracking in Gloucestershire extremely limited. He noted that the Council had a fundamental role in relation to minerals planning and it was important that the Minerals Local Plan was robust enough to withstand any legal challenge. The Council could not say that it was against fracking and it needed to have a plan which set out the criteria against which applications would be determined.

In summing up, Cllr Kirby stated that it was important that the public were well informed about fracking. He was anxious that the politics were taken out of the issue because it was such a serious matter. He said that the motion was carefully worded so that there was no danger of predetermining applications. He noted that there were already some presumptions against particular activities in the Minerals

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Local Plan (for example opencast mining) and he could not see any reason why a similar presumption could not apply to fracking. He said that it would be for the advisory group to determine a work plan to allow it to fit in with the timetable for the adoption of the Minerals Local Plan.

On being put to a recorded vote, it was:

RESOLVED that

This Council notes that the Government have recently proposed a change to their 'fracking' policy to include a personal payment to households within the area of proposed 'fracking' sites.

This Council believes that this is fundamentally wrong, as it could lead to critical environmental decisions being taken away from communities as a whole. This Council reaffirms that the protection of Gloucestershire's environment is a key priority for this authority.

This Council notes its disappointment in the Government for abolishing the Department for Energy and Climate Change. This Council also notes its disappointment that that previous recommendations made by Environment and Communities Overview and Scrutiny Committee have not been supported by the administration. Therefore this Council requests that the Cabinet Member for Fire, Planning and Infrastructure establishes a cross party advisory group to consider those aspects of the Local Minerals Plan that relate to 'Fracking'. This would allow members to represent the concerns of local communities.

This Council asks that the Leader of the Council writes to Gloucestershire's six MPs and the Secretary of State for Business, Energy and Industrial Strategy to urge them to re-evaluate Government policy over the proposed Community Support Payment for fracking.

This Council affirms its opposition in principle alone to any attempt to Frack in the Forest of Dean and other parts of the county.

The voting was as follows:

For (22): Councillors David Brown, Chris Coleman, Dr John Cordwell, Iain Dobie, Bernard Fisher, Joe Harris, Colin Hay, Jeremy Hilton, Paul Hodgkinson, Barry Kirby, Sarah Lunnon, Steve Lydon, Steve McHale, Tracy Millard, Graham Morgan, Brian Oosthuysen, Nigel Robbins OBE, Mike Sztymiak, Simon Wheeler, Jack Williams, Lesley Williams MBE and Suzanne Williams.

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Against (0)

Abstentions (24): Councillors Dorcas Binns, Rob Bird, Tony Blackburn, Andrew Gravells, Tim Harman, Mark Hawthorne MBE, Tony Hicks, Paul McLain, Patrick Molyneux, Nigel Moor, Shaun Parsons, Alan Preest, David Prince, Brian Robinson, Vernon Smith, Lynden Stowe, Ray Theodoulou, Brian Tipper, Pam Tracey MBE, Robert Vines, Stan Waddington, Kathy Williams, Roger Wilson and Will Windsor-Clive.

Motion 783 – Open Contracting

Cllr Sarah Lunnon proposed and Cllr Mike Sztymiak seconded the following motion:

That Gloucestershire County Council commits to the Open Contracting Global Principles and takes action to ensure that:

- By the end of 2017 complete information for all contracting processes over £1m, including details of the tender, award and contract process, the full text of contracts and amendments, and performance information, are proactively published;*
- By the end of 2018 complete information is available for all contracting processes, over £500*, is proactively published*

The presumption should be that the text of all contracts is open by default. Redactions should only be permitted: (a) at the explicit written request of the parties to the contract; (b) subject to the public interest tests of the Freedom of Information act; (c) with the minimum possible redactions; and (d) with full justifications for any redaction given.

Furthermore, to ensure public access to information on the operation of outsourced services, all future contracts of the Council should include a model clause providing full public access to performance reporting and other key information required to exercise effective scrutiny.

*(*This should be set the same as the threshold in the local government transparency code)*

Notes:

The Open Contracting Global Principles were developed through an extensive consultation process involving governments, private sector and civil society. The UK Government has endorsed the principles in it's 2013-15 and 2016-18 Open Government Partnership National Action Plans.

The Council is required by the provision of the Local Government Transparency Code to

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disclose a log of all contracts entered into. This motion builds upon that practice, adding a requirement for enhanced disclosure of contract text, performance information and information about the whole contracting process.

This motion is proposed on a basic understanding of fairness, that those paying the bill be allowed to see the itemised invoices, to understand exactly what they are buying. In terms of public interest it will also enable full scrutiny of how and what public money is being spent on and enable the public or their representatives to spot misuse of public funds, inept services delivery or bad contractual decision making. Open Contracting also promotes a level playing field in public contracting, bringing greater opportunities for SMEs, and ensuring government gets better value for money.

Cllr Lunnon stated that a recent report from the Public Accounts Committee had highlighted the lack of transparency in Government contracts with private companies. The same problems also applied to local government contracts and were allowing companies to avoid public transparency and accountability. She recognised that there might be particular circumstances relating to commercial confidentiality when information was not published, but that should be the exception rather than the norm.

She was concerned that the current approach by the Council resulted in the redaction of information when documents were published. Members across the Council needed to be reassured that good governance arrangements were in place and should have confidence in decisions made by the Cabinet.

In seconding the motion, Cllr Sztymiak stated that he worked for Capita, who had contracts with public sector organisations, and the views he was expressing were his own and not related to his employer in any way. He believed that the public had the right to know how contracts were being awarded and he was concerned that holding back information had a serious impact on public confidence. A move towards open contracting would be a step in the right direction.

Another member said that over use of commercial confidentiality was resulting in people losing faith in the public sector. He stated that it was vitally important to demonstrate that value for money was being provided for the people of Gloucestershire.

Cllr Ray Theodoulou, the Cabinet Member for Finance and Change, stated that the Council was committed to the National Transparency Code. He said that the Council was providing additional information on contracts where it was lawful and there was no disclosure of sensitive commercial information. He noted that the law permitted the redaction of information in contracts where it was commercially sensitive.

As the motion related to changes to the constitution, Cllr Sarah Lunnon and Cllr Mike Sztymiak agreed that the motion be referred to the Constitution Committee.

It was noted that both the proposer and seconder of the original motion, would have an opportunity to present the motion at the next meeting of the Constitution Committee on 16 January 2017.

Motion 784 – GFirst LEP

Cllr Jeremy Hilton proposed and Cllr Joe Harris seconded the motion detailed on the agenda.

Cllr Hilton stated that up until March 2016 decisions relating to major infrastructure projects in Gloucestershire were made at meetings open to the public. These projects now came under the remit of the GFirst Board which did not meet in public. He felt that it was important that local people should have an opportunity to influence the spending of significant sums of public money. He made particular reference to the bid document for the Gloucestershire Airport project which had not been made public even though there was strong public sector involvement in the scheme.

Cllr Joe Harris, the Chairman of the Economic Growth Overview and Scrutiny Committee, noted that GFirst LEP was taking forward a number of exciting projects in Gloucestershire. These covered a wide range of areas including engineering, renewable energy and agri-tech. He believed that it was important that the activities of GFirst LEP were open to public scrutiny.

Other members spoke in support of the motion but they recognised that GFirst LEP had limited capacity. They did not want GFirst LEP to be disadvantaged compared to other local enterprise partnerships through having to hold meetings in public. They felt that in the interests of probity the same rules should apply to all LEPs throughout the country. To help GFirst LEP it was suggested that they be offered the use of the meeting facilities at Shire Hall.

Cllr Mark Hawthorne, a board member of GFirst LEP, stated that local enterprise partnerships had replaced regional development agencies which were seen as undemocratic and bureaucratic organisations. The bidding process for projects was complex but local enterprise partnerships had been set-up with a clear set of rules. He noted that the County Council was the accountable body for GFirst LEP. Local projects received a great deal of publicity through the media and GFirst LEP held public meetings from time to time for people to express their views. He recognised that there might be more of a role for the Economic Growth Overview and Scrutiny

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Committee in scrutinising proposals. He suggested that Cllr Harris as the chairman of the committee meet with Diane Savory, the Chair of GFirst LEP.

RESOLVED that

This Council notes that in England, local enterprise partnerships (LEPs) are voluntary partnerships between local authorities and businesses set up in 2011 by the Department for Business, Innovation and Skills to help determine local economic priorities and lead economic growth and job creation within the local area.

This Council notes that in Gloucestershire, GFirst is our Local Enterprise Partnership, of which the Leader of Gloucestershire County Council is a member of the board.

The Council welcomes the work done so far by the GFirst LEP to help develop a thriving economy in Gloucestershire.

However, this Council notes that GFirst LEP holds its regular board meetings 'behind closed doors' when it decides on key economic priorities, including the awarding public funds to major infrastructure and investment projects.

This Council, therefore, calls on GFirst LEP in spirit of openness and public accountability to hold its regular board meetings in public and to publish its board papers in the public domain.

Motion 785 – Grammar schools in Gloucestershire

The following motion proposed by Cllr Richard Leppington and seconded by Cllr David Prince was withdrawn as Cllr Leppington was unable to attend the meeting due to a commitment at the Forest of Dean District Council.

This Council notes the Prime Minister's recent support for the UKIP policy to reintroduce grammar schools. We call on Gloucestershire MPs to support the creation of new grammar schools throughout Gloucestershire.

Motion 787 – Pavements

Cllr Paul Hodgkinson proposed and Cllr Chris Coleman seconded the following motion:

This Council notes that there are many damaged pavements and foot ways across Gloucestershire in need of repair.

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This Council is aware that only £800K a year in capital is used for resurfacing footways.

Given the poor state of our county's pavements, this Council calls not only for the creation of a dedicated revenue budget for 2017/2018 to focus specifically on pavement repair, but also asks the Cabinet Member to report back to the Highways Advisory Group on measures to improve the inspection and fixing of pavements, before reporting back to the Environment and Communities Overview and Scrutiny Committee with a positive action plan.

Cllr Hodgkinson stated that concerns were regularly raised by members of the public regarding the poor condition of pavements and foot ways. It was evident that there was not a dedicated revenue budget for their day-to-day maintenance and their condition was deteriorating. He was concerned that residents, particularly vulnerable people, were tripping and falling. He called for a dedicated revenue budget to be included in the 2017-18 Council budget.

In seconding the motion, Cllr Coleman said that everyone could see that many pavements and foot ways were unsafe and even dangerous. He recognised that this was particularly problematic for older people, families with young children, disabled people and cyclists. He stated that when a road was resurfaced the foot way alongside was often left untouched as there were no dedicated resources available. The purpose of the motion was to seek agreement to the principle that a dedicated revenue budget for pavement and foot way maintenance should be included in the Council budget each year. The amount of funding could be considered as part of the Council debate on the budget in February.

A procedural motion that a vote on the motion be taken was not supported.

Cllr Vernon Smith moved and Cllr Mark Hawthorne seconded the following amendment (see highlighted text).

The Council notes there are many damaged pavements and footpaths across Gloucestershire in need of repair.

This Council is aware that although only £800,000 a year is in a dedicated footways capital budget, there are many other highways' capital schemes that include significant footways spend.

This Council asks the Cabinet Member to report back to the Highways Advisory Group on measures to improve the inspection and fixing of pavements, before reporting back to the Environment and Communities Overview and Scrutiny Committee with a positive action plan.

In moving the amendment, Cllr Smith stated that the £800,000 capital budget for pavements and footways was for dedicated schemes. He said that pavements and foot ways were part of the infrastructure and were included in a large number of other schemes. He referred to Elmbridge Court which was not just a road improvement scheme but also included a bus lane, cycle path, new drainage and foot ways. He noted that members had the opportunity to use their Highways Local funding to support the maintenance of foot ways in their own area.

In seconding the amendment, Cllr Hawthorne referred to the number of improvement schemes going on across the county that involved pavements and foot ways. He believed that the original wording of the motion was misleading and not an accurate reflection of the actual position. He said that he was using the Lengthsman Scheme for cutting back hedges and tidying up foot ways in his own division of Quedgeley. He was concerned that an attempt was being made to commit funding for a particular purpose ahead of the Council budget debate in February.

Some members referred to recent highway improvement schemes where no work had been undertaken on adjacent footways because no funding was available. They recognised that the Highways Local and Lengthsman schemes could be used to maintain foot ways but the resources available to individual members did not stretch far.

Cllr Stan Waddington, Chairman of the Highways Advisory Group, supported the amendment as he believed that the £800,000 figure in the original motion was misleading. He noted that the funding for Highways Local across the county amounted to around £1.5 million and individual members were working with their local highway managers to take forward footway schemes in their own area. He recognised that it would be useful for the Highways Advisory Group to undertake an exercise to identify the total sum being spent on foot ways in the county.

A member stated that the real issue was that there was not a maintenance programme for foot ways on housing estates and pavements alongside streets. He referred to a pavement at St Oswalds Priory in Gloucester which was falling into the road and becoming dangerous.

Some members were concerned that the original motion was predetermining the Council budget ahead of public consultation. If more money was required for pavements and foot ways, they questioned where it would come from when the Council was facing increasing demand for services to some of the most vulnerable people in the community. These included adult social care, children's services and disability services.

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A member recognised that there were areas where foot ways and pavements needed to be repaired. He thanked the Cabinet Member for the work that had been undertaken in Cheltenham and for keeping local members informed throughout the process.

Cllr Hodgkinson, the mover of the original motion, believed that the amendment countered the motion. He stressed that the original motion did not identify an amount to be spent but was simply seeking to establish the principle that a dedicated revenue budget should be included in the Council budget. Whatever the outcome of the amendment, he was anxious that no cuts were made to the Highways Local funding for members.

On being put to the vote, the amendment was supported.

A member said that she was pleased that the maintenance and improvement of foot ways and pavements was at last being highlighted. She believed that it was an issue of social justice as the most disadvantaged people in society were most likely to use foot ways and pavements. She called for a robust process to be in place to approach homeowners when garden hedges grew out over foot ways. She expressed concern that big infrastructure schemes sometimes resulted in poorly designed foot ways which caused difficulties for pedestrians.

Another member stated that the foot ways in his division were in a very poor condition and some of them were dangerous, particularly for disabled people. He said that in some cases they had not been touched since they were constructed as part of new housing developments in the 1960s and 1970s.

A vote was taken on the substantive motion, and it was:

RESOLVED that

The Council notes there are many damaged pavements and footpaths across Gloucestershire in need of repair.

This Council is aware that although only £800,000 a year is in a dedicated footways capital budget, there are many other highways' capital schemes that include significant footways spend.

This Council asks the Cabinet Member to report back to the Highways Advisory Group on measures to improve the inspection and fixing of pavements, before reporting back to the Environment and Communities Overview and Scrutiny Committee with a positive action plan.

Motion 788 – Bus services

The following motion proposed Cllr Nigel Robbins and seconded by Cllr Suzanne Williams was not considered as the two hour limit for motions had been reached.

This Council recognises the essential role that bus services play in – a) enabling more active lives b) travel opportunities c) healthier lifestyles d) reducing rural isolation and e) tackling congestion especially in urban areas.

This Council notes the funded public transport consultation that ended in January of this year, but is concerned about both the reduction in budget and the decline in passenger numbers. This has resulted in the withdrawal of much valued public transport profoundly affecting people's lives by denying access to many services, jobs and independence.

This Council in its commitment to the bus service across Gloucestershire asks the Cabinet Member:

- a) To take steps to protect the Council's bus service budget in 2017/18 from any further reductions.*
- b) To lobby the government to fully fund the council's concessionary schemes.*
- c) To work with the districts on a campaign to increase passenger numbers headed up by this Council's Communications Team.*

78. AMBULANCE RESPONSE TIMES (MOTION 759)

Cllr Roger Wilson presented the report from the Health and Care Overview and Scrutiny Committee in response to the motion agreed by Council on 2 December 2015 relating to ambulance response times. This item had been deferred from the last meeting. Cllr Wilson was the chairman of the working group that had looked at this issue.

He noted that the work had been undertaken on a cross-party basis and the working group included members from both county and district councils. He thanked officers from the South Western Ambulance Service Trust, Gloucestershire Clinical Commissioning Group and Gloucestershire Fire and Rescue Service for participating in the review. He made special mention of Andrea Clarke from Democratic Services for the support she had provided throughout the process.

Cllr Iain Dobie, Chairman of the Health and Care Overview and Scrutiny Committee, stated that it was important to consider the report in the context of a national situation where no ambulance services across the country were meeting targets for response times. He believed that the Government was starving funding

to health and social care which was leading to a national crisis. He noted that overall spending was going down in terms of the proportion of health spending to Gross Domestic Product (GDP). Health expenditure was lower in the UK in comparison with most other countries.

A member believed that ambulance trusts throughout the country had become too large and bureaucratic. He said that a Gloucestershire based service would allow better collaboration between the emergency services and be more accountable to the public. He suggested that the County Council should put in a bid to run the ambulance service alongside Gloucestershire Fire and Rescue Service.

Cllr Paul Hodgkinson, the mover of the original motion in December 2015, thanked the members of the working group for undertaking the review. He said that ambulance response times had a major impact on people's lives and sometimes could literally be the difference between life and death. He recognised that a Gloucestershire based service was not viable at present but circumstances might change to allow it to be looked at again in future.

Cllr Tony Blackburn, the member for Hardwicke and Severn, raised concerns regarding response times for emergency services west of the Gloucester to Sharpness Canal. He noted that new automated crossings had recently been installed and he asked that arrangements for responding to emergencies be checked and tested.

A member referred to the problems caused to the ambulance service by delays in handing over patients at accident and emergency departments. Another member believed that an overhaul of the health service was urgently required to address reductions in funding and increasing demand.

Other members referred to the increases in Government funding for the NHS year on year and the opportunities for collaboration across the blue light services. They believed that some of the current difficulties had arisen because some people did not understand how to use the NHS and were calling for ambulances and going to emergency departments unnecessarily.

A member stated that he was supportive of ambulance vehicles being 'branded' for Gloucestershire but he was anxious that this did not result in scarce resources being diverted from elsewhere.

In summing up, Cllr Wilson explained that the way that the ambulance service was provided now was very different to the way that the service had been provided by the Gloucestershire Ambulance Service more than 10 years ago. He said that patients did not get into an ambulance for 50% of calls and were instead treated at

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home. He paid tribute to the South Western Ambulance Service Trust for their efforts to improve services in Gloucestershire.

Minor amendments to the recommendations from the Health and Care Overview and Scrutiny Committee are highlighted in shaded text below. The recommendations (as amended) received unanimous support from members.

RESOLVED that the following recommendations of the Health and Care Overview and Scrutiny Committee be endorsed:

Recommendation 1:

This Council agrees that the establishment of a county-wide ambulance service is not viable at the moment and should not currently be progressed.

Recommendation 2:

This Council supports the addition of the Gloucestershire Flag and name to SWASFT vehicles based in Gloucestershire and that the Leader and Chief Executive of the Council write to the Chair and Chief Executive of South Western Ambulance Service Trust, and the Chair and Accountable Officer of the Gloucestershire Clinical Commissioning Group, and urge them to pursue this initiative, as long as it is not deemed costly to NHS finances.

Recommendation 3:

This Council offers its full support to the Ambulance Response Programme in the expectation that it will deliver improved quality of care to the people of Gloucestershire.

Recommendation 4:

This Council requires the Gloucestershire Clinical Commissioning Group and the South Western Ambulance NHS Foundation Trust to report to the Gloucestershire Health and Care Overview and Scrutiny Committee on 7 March 2017 on the impact of the implementation of the Ambulance Response Programme.

Recommendation 5:

The Leader and Chief Executive of Council write to the Chair and Chief Executive of the Welsh Ambulance NHS Trust, the Chair and Chief Executive of the Aneurin Bevan University Health Board, and the Chief Executive of NHS Wales, asking for information on how they are addressing the unavailability of double-crewed ambulances in the Newport and Chepstow areas, and the handover delays at the Royal Gwent Hospital; and when this Council can expect these issues to be resolved.

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Recommendation 6:

The Council asks the Gloucestershire Clinical Commissioning Group and the Gloucestershire Hospitals NHS Foundation Trust to submit a report to the Health and Care Overview and Scrutiny Committee on the actions in place to address and reduce handover delays at the acute hospitals in Gloucestershire.

Recommendation 7:

The working group recommend that this Council agrees:

- That elected members as community leaders undertake to download the AdviceASAP App to their smart phone, for their personal use and to encourage its use in their local communities.*
- That elected members promote the AdviceASAP App and associated website in their communities through their newsletters and their work with community groups and parish councils, and*
- That elected members encourage their local communities to ensure that their properties are clearly identified to help the ambulance service locate them in the event of an emergency.*

Recommendation 8:

This Council requests the Gloucestershire Clinical Commissioning Group keep the Health and Care Overview and Scrutiny Committee regularly updated on the progress of the redesign of primary and urgent services, and the planned location of the Urgent Care Centres when known.

Recommendation 9:

The Leader and Chief Executive of the Council write to the Chair and Chief Executive of South Western Ambulance Service Trust to inform them that this council values paramedics and holds them in high regard; and recognises their important role in the delivery of quality patient care to the people of Gloucestershire.

Recommendation 10:

This Council invites the Chief Executive of the South Western Ambulance Service Trust to undertake a presentation on the work of the ambulance service to all members of Council, and that this event is also open to members from the district councils in Gloucestershire.

79. MEMBER QUESTIONS

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

The following supplementary questions were asked:

Question 1 – Cllr Jack Williams recognised the activities in place for vulnerable young people and asked what universal services were available.

Cllr Paul McLain explained that a detailed piece of work had been undertaken years before on positive activities for young people which suggested that over 85% of young people were engaged in activity not involving the Council. The priority was on supporting the most vulnerable. For those who did not fall into that category, broader services were in place including a £300,000 pot which was split across each district for them to allocate and the Children’s Activity Fund.

Question 2 – Cllr Jack Williams asked whether the funding for the Youth Activity Programmes would still be available at the same rate next year.

Cllr Paul McLain confirmed that it would be.

Question 3 – Cllr Jack Williams asked whether the Children’s Activity Fund would be available next year.

Cllr Paul McLain stated that that was the proposal.

Question 4 – Cllr Iain Dobie asked:

‘My constituent Sue Walters has a son with learning difficulties who receives 24 hour support from Gloucestershire County Council Adult Services. She has drawn my attention to the human consequences of GCC cuts in this area in terms of diminished life chances. As she put it to me:

"I request that you bring to Council's attention the effect that this budget reduction is having on Gloucestershire's learning disabled adults and their families, whose quality of life and opportunity is deteriorating".

So, after two successive years of cuts to the County Council budget for vulnerable adults with learning difficulties, will you give an assurance there will be no further cuts to this budget in the next financial year?’

Cllr Kathy Williams stated that this budget was agreed at full Council and would be again. She emphasised the improvements within the service including making reductions through looking again at contracts and responding to areas where the Council was being overcharged. Kathy was happy to be contacted by Sue Walters to discuss her concerns.

Question 5 – Cllr Iain Dobie asked ‘At the last Council meeting I noted that at the Gloucestershire Health and Care Overview and Scrutiny Committee the GP-led Gloucestershire Clinical Commissioning Group reported that County Council cutbacks in support packages for vulnerable adults with learning difficulties would have health consequences. Do you agree with the health professionals on this point?’

Cllr Kathy Williams did not agree. She reiterated that real improvements had been made in the service with a large number of adults with learning disabilities working or at college for the first time.

Question 6 - Cllr Chris Coleman stated a query to Government had ascertained that no specific requests had been made to Government on the highways maintenance budget. He stated that the Cabinet Member had said that he had lobbied; he asked him who his constituent should believe.

Cllr Vernon Smith explained that the Council lobbied through the local MPs.

Question 7 – Cllr Chris Coleman asked whether the Cabinet Member would re-evaluate his strategy of lobbying to Government, given the backlog of highways repairs.

Cllr Vernon Smith explained that £1.4m in extra funding was a result of MPs lobbying government. He suggested Cllr Coleman take it up with Alex Chalk MP.

Question 8 – Cllr Paul Hodgkinson asked whether the Cabinet Member was aware that schools in the county had sent out letters asking for the nationality of children and that some primary school teachers had asked pupils directly. He asked whether this was a concern.

Cllr Paul McLain stated that if individual parents had any concerns he would ask that their details to be passed on to him and he would be happy to look at their concerns.

Question 9 – Cllr Paul Hodgkinson stated that parents had legitimate concerns and that this was a question they wanted raised.

Cllr Paul McLain explained that there was nothing new in schools collecting information about their pupils for educational reasons. He would be happy to deal with any individual representations in a fair and balanced way.

Question 19 - Cllr Tracy Millard asked whether the Cabinet Member was concerned that the Council did not hold information on what providers of Electrical Call Monitoring (ECM) paid their workers. She asked how we knew we were getting value for money.

Cllr Dorcas Binns replied that the Council knew what time was spent with clients and that there were contractual arrangements which went into more detail. She would speak to the member outside of the meeting on this point.

Question 20 – Cllr Tracy Millard asked for confirmation that no bed blocking in hospitals was caused by issues with Gloucestershire County Council organising re-ablement.

Cllr Dorcas Binns said she could confirm that this was not an issue and that adult social care were enabling people to be back in their own homes.

Question 23 – Cllr Tracy Millard asked for a more specific breakdown on the backlog in the assessment of re-ablement service users.

Cllr Dorcas Binns said she would provide this outside of the meeting.

Question 25 – Cllr Tracy Millard asked whether there were capacity issues affecting the tendering process around care plans.

Cllr Dorcas Binns said no, it was about ensuring that the right package of care and support was put in place based on the clients needs as soon as possible.

Question 27 – Cllr Tracy Millard asked for more specific details on the SEND needs within Grammar Schools.

Cllr Paul McLain stated he would provide the details outside of the meeting.

Question 30 – Cllr Barry Kirby stated that he was keen to see the Fire and Rescue Service remain part of Gloucestershire County Council. However, he asked whether there were opportunities on blue light collaboration and whether any plans were in place to investigate the opportunities with the Police and Crime Commissioner.

Cllr Nigel Moor stated that the Council was embarking on a piece of work with other county fire services to look at further collaboration and what the cost implications would be around any changes to governance. This work had been flagged up with the Minister and would be presented to him in the new year.

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Question 44 – Cllr Lesley Williams asked how much money would be needed to deal with the potholes that we knew needed dealing with at the moment.

Cllr Vernon Smith stated that potholes were subject to the weather and that the defects would depend on what kind of weather we had.

Question 52 – Cllr Barry Kirby asked that given the impact of buses on the roads, whether the figure of how many buses had been on Gloucestershire's roads since 2010 could be calculated.

Cllr Nigel Moor stated that he had recently had a meeting with Stagecoach who were investing heavily in a new fleet. There was a commitment to ensure buses were regular maintained and replaced.

Question 53 – Cllr Lesley Williams asked what the timescale was to do something about the state of Westward Road.

Cllr Vernon Smith stated that he was keen to see this completed as soon as possible and that work would be carried out with utilities and police to deliver it as soon as possible.

Question 54 – Cllr Tracy Millard commented that state education made such a positive difference, why hadn't a substantial amount of money been invested into it in the last three years?

In response Cllr Paul McLain said that investment was up to nearly £30m for early year investment. This was a good investment to continue the good quality work being carried out. He explained that there would be further funding from Government around the early years settlement. Gloucestershire was a national leader for 2 year old provision.

Question 56 – Cllr Sarah Lunnon stated that as a key partner to the Sustainability and Transformation Plan would it not be right to debate it at full Council to allow the concerns of the public to be expressed?

Cllr Dorcas Binns explained that this was early days but that it had already gone to Health and Well Being Board and Health and Care Scrutiny where councillors had asked important questions.

Question 67 – Cllr Lesley Williams asked what could be done by Gloucestershire County Council to promote the message of road safety and the dangers of mobile phone usage while driving.

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Cllr Mark Hawthorne stated he would take this away.

Question 68 – Cllr Lesley Williams asked whether Amey's vehicles were fit for purpose.

Cllr Mark Hawthorne stated he would discuss any specific concerns the member had outside of the meeting.

80. SCRUTINY ANNUAL REPORT

In presenting the report, Cllr Brian Oosthuysen, Chairman of the Overview and Scrutiny Management Committee, thanked members and officers for their support. He noted the breadth of the range of the topics that had been considered by the scrutiny committees during the year.

Cllr Oosthuysen and Cllr Shaun Parsons, Vice-chairman of the Overview and Scrutiny Management Committee, made special mention of the directors and the officers in Democratic Services in recognition of their support.

RESOLVED to note the 2015-16 Annual Scrutiny Report.

81. SCRUTINY UPDATE REPORT - NOVEMBER 2016

Cllr Brian Oosthuysen, Chairman of the Overview and Scrutiny Management Committee, presented the scrutiny update report for November 2016.

Cllr Lesley Williams requested a briefing for members on the Sustainability and Transformation Plan (STP) for Gloucestershire. Cllr Roger Wilson, Vice-chairman of the Health and Care Overview and Scrutiny Committee suggested that this take the form of a member seminar. He was anxious that it was not seen as an extra opportunity to scrutinise the proposals.

Cllr Tim Harman, Chairman of the Children and Families Overview and Scrutiny Committee, undertook to provide information after the meeting on when the Adoption SW arrangements would be considered by the committee.

Answering questions, Cllr Rob Bird, Chairman of the Environment and Communities Overview and Scrutiny Committee, stated that he was not aware of any work that had been taken so far to produce a non-parish version of the highway survey that included questions specifically relating to urban areas. He said that it was unlikely that the committee work plan would allow any scrutiny work around pavements to begin in January.

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RESOLVED to note the scrutiny update report.

82. AUDIT AND GOVERNANCE COMMITTEE ANNUAL REPORT

Cllr Nigel Robbins, Chairman of the Audit and Governance Committee, presented the report. He thanked members of the committee for their sharp-eyed vigilance. He noted that the external auditor had commended the Council for its financial governance and value for money. He expressed concern regarding the significant rise in the number of Freedom of Information requests which had necessitated additional staff resources.

Responding to a request from Cllr Tracy Millard, Cllr Robbins undertook to provide the information on complaints that had been circulated to committee members.

RESOLVED to note the Annual Report for the Audit and Governance Committee.

83. APPOINTMENT OF AUDITORS

Cllr Nigel Robbins, Chairman of the Audit and Governance Committee, presented the report and recommendation from the committee on the appointment of external auditors.

RESOLVED to accept the invitation from the Public Sector Audit Appointment (PSAA) to become a co-opted in authority for the purposes of the appointment of an external auditor under the provisions of the Local Audit and Accountability Act 2014 and the requirements of the Local Audit (Appointing Person) Regulations 2015.

84. CABINET DECISION STATEMENT

RESOLVED to note the Cabinet Decision Statement for the meeting held on 28 September 2016.

85. INDIVIDUAL CABINET MEMBER DECISION STATEMENTS

RESOLVED to note the Statement of Individual Cabinet Member Decisions.

86. CONSTITUTION COMMITTEE REPORT

Cllr Mark Hawthorne, Chairman of the Constitution Committee, presented the recommendations from the meeting held on 10 October 2016.

a) Members' allowances

***RESOLVED** that the revisions to the Members' Allowances Scheme in Annex A to the report be adopted and included in the Council's constitution.*

b) Health and Well Being Board

***RESOLVED** that the revisions to the terms of reference for the Health and Wellbeing Board in Annex C to the report be adopted and included in the Council's Constitution.*

c) Monitoring Officer changes to the Constitution

***RESOLVED** to ratify the changes to the Council's Constitution, as shown in Annex D and Annex C to the report under delegated powers.*

87. HIGHWAYS PERFORMANCE REPORT

Cllr Vernon Smith, the Cabinet Member for Highways and Flood, presented the report. He said that he was pleased that performance targets were being met and in some instances exceeded.

Responding to questions, he reminded members to report potholes and any other road defects on the Council's dedicated website – www.gloucestershire.gov.uk/reportit. He said that he had become aware of issues around white line markings at junctions and officers would be presenting a report at a future meeting of the Highways Advisory Group. Referring to the installation of a power cable through the High Street in Stonehouse, he believed that steps were being taken to find an alternative route.

A member expressed concern that residents had not been informed when a road had been closed in Cirencester and this had caused particular difficulties.

The Vice-chairman noted that there appeared to have been a significant increase in the number of emergency road closures across the county. He enquired how much this was costing?

A member commended the Council's highways contractor on how well road closures were now working with good communication with residents. He referred particularly to recent road closures in the Berkeley area.

Another member commented on how well the work was progressing at Elmbridge Court. He said that traffic was flowing well and there was good communication with road users. Cllr Vernon Smith thanked the project manager, Scott Macaulay-Lowe, and the Communications Team for their efforts.

RESOLVED to note the report.

88. GLOUCESTERSHIRE LOCAL GOVERNMENT PENSION FUND ANNUAL REPORT 2015-16

Cllr Ray Theodoulou, Chairman of the Pensions Committee, presented the annual report. He thanked the members of the committee and he said that he was pleased that a staff representative was now regularly attending meetings. He also thanked the recently formed Pension Board for its scrutiny activity. He reassured councillors that the new pooling arrangements would not have any impact on the benefits received by members of the pension scheme.

Answering questions about performance of the fund, he said that it was unsurprising that there were variations in performance between individual pension funds but he noted that the differences were relatively small. The Gloucestershire scheme had been amongst the top 10 performers in the previous year. The tri-annual review had just been undertaken and the deficit on the fund had improved and was now closer to 20%.

RESOLVED to approve the Gloucestershire Local Government Pension Fund Annual Report for 2015-16 be approved.

89. BRUNEL PENSION PARTNERSHIP

Cllr Ray Theodoulou, Chairman of the Pensions Committee, presented the report and the recommendations from the meeting of the committee held on 2 December 2016. He explained that the Government believed that investment costs could be reduced by bringing local government pension funds together. The Pensions Committee had approved the business case for pooling funds and it was intended that the Brunel Pension Partnership would become operational in March 2018. The partnership would bring 10 pension funds together but each local authority would still have responsibility for the strategic allocation of funding.

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It was noted that the whole process was under Government guidance and if the Council did not join the Brunel Pension Partnership, the Government would direct the Council towards joining another pool. The advantage of joining the Brunel Pension Partnership was that the Council was able to influence how it was set up and managed.

Answering questions, Cllr Theodoulou explained that the Brunel Pension Partnership was expected to have 22 individual investment funds. There would be opportunities to invest in ethical funds if the Pensions Committee believed that to be the right approach. He said that he did not expect to see an increase in investment charges as a result of pooling and early indications were that firms would be reducing their fees.

Cllr Nigel Moor, a member of the Pensions Board, thanked Cllr Theodoulou and the officers who had been closely involved in the process. He said that he was confident that Gloucestershire was in a good position to influence how the Brunel Pension Partnership was set up.

Members of the Pensions Committee thanked officers for all the work they had undertaken over recent months. They noted that the Gloucestershire Pension Fund was well managed and paid significantly less in fees compared to other local authority pension funds. The Gloucestershire fund, however, had to join a pool along with other pension funds. They believed that joining the Brunel Pension Partnership was the best option on the table as the Council had an early opportunity to influence how it was managed. They noted that pensions' administration would continue to be run from Shire Hall. Allocation of funds remained of critical importance with just a 1% difference in performance each year equivalent to £20 million.

Some members were concerned that the reduction in the number of funds might result in a lack of competition and higher costs in future.

Five members abstained from the vote.

RESOLVED that

- a) *The Brunel Pension Partnership investment pool be developed, funded and implemented substantially in accordance with the terms and provisions described in the said business case, and more particularly that:*
 - o *An FCA regulated company to be named Brunel Pension Partnership Limited be established and operated with all necessary and appropriate arrangements as to its ownership, structure, governance and services capability.*

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- A new supervisory body comprising representatives of the Council and all other participants in the Brunel Pension Partnership be established to ensure oversight of the Council's investment and participation in the Brunel Pension Partnership.*

- b) The Pensions Committee be authorised and granted delegated powers to undertake such tasks as it thinks appropriate to progress implementation of investment pooling, and to take such decisions and do all other things deemed necessary in order to promote the interests of the Council with respect to pooling, which without limitation shall include agreeing and authorising any documentation, contracts, terms of reference, financial expenditure or investment that may be required consequential upon the Council's participation in the Brunel Pension Partnership.*

- c) The Director of Strategic Finance and the Head of Legal Services be similarly authorised and granted delegated powers to undertake such tasks to progress implementation of investment pooling, and to take such decisions and do all things deemed necessary in order to support the Pensions Committee and to promote the interests of the Council with respect to pooling.*

- d) Subject to the above, all such matters be carried out with the aim of achieving a target date for investment pooling of 1 April 2018, and otherwise subject to such intermediate steps and timescales as may be considered appropriate and necessary by the Pensions Committee.*

The meeting ended at 3.35pm

CHAIRMAN