



MINUTES OF COUNTY COUNCIL MEETING

DATE: Wednesday 22 March 2017 TIME: 10.00 am

VENUE: Council Chamber - Shire Hall, Gloucester

Present

Membership:

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

Honorary Aldermen

Bill Hobman

Apologies: Cllr David Prince and Cllr Stan Waddington

Honorary Aldermen: Liz Boait, Bill Crowther, Paul Drake, Chas Fellows, Jackie Hall, Terry Parker, John Sewell, Gordon Shurmer and Mike Williams

15. MINUTES

The minutes of the meeting held on 15 February 2017 were approved as a correct record.

16. DECLARATIONS OF INTEREST

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

17. ANNOUNCEMENTS

a) The Chairman thanked the members for their service to the Council over the last four years. Group Leaders were given an opportunity to thank individual members of their group who would be standing down at the May 2013 election.

Cllr Mark Hawthorne thanked the five members of the Conservative Group who were retiring:

Cllr Tony Hicks who had been a Cabinet Member in 2009 was thanked for his services to the community and Tetbury.

Cllr Paul McLain who was Cabinet Member for Children and Families was thanked for the great passion he had brought to the role.

Cllr Stan Waddington, Cllr Tony Blackburn and Cllr Jason Bullingham were thanked for the way they had passionately served their communities and the contributions they had made.

Cllr Sarah Lunnon was thanked by members of all parties for her contribution to the county and the tenacity and passion with which she worked for the communities she represented.

Cllr Paul Hodgkinson thanked members for the work that had been carried out over the past four years.

Cllr Lesley Williams thanked the members of the Labour Group who were not standing again. She thanked Cllr Barry Kirby, Cllr Jasminde Gill and Cllr Paul McMahon. She thanked Cllr Steve McHale for the twenty-four years he had served the community faithfully.

Cllr Mike Sztymiak stated that Cllr David Prince was not standing again and so thanked him for his work in serving the community so well.

b) CM2000

The Chairman reported that CM2000, the Council's partner in electronic call monitoring, had singled out Gloucestershire as their award recipient for Partnership Working 2017. The award recognised the work of the Council in ensuring that vulnerable adults receive the services commissioned for them and the value for money achieved through commissioning practices.

c) Gloucestershire Fire and Rescue Service wins CIPD award

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The Chairman congratulated the GFRS Employee Network Group on being awarded the Heather Ross Diversity and Inclusion Award 2017 by the Gloucestershire, Herefordshire and Worcestershire Branch of the Chartered Institute of Personnel and Development (CIPD). Submissions were received from a variety of industries and sectors and the GFRS business case detailing the work of the group was acknowledged as making a real difference to the service and the communities.

d) Commonwealth Day

The Chairman advised members that he had raised the Commonwealth flag over Shire Hall on 13 March 2017 to mark Commonwealth Day. A day when 52 countries around the world came together to promote the shared values of peace, democracy and equality, and to celebrate the association's rich diversity. Gloucestershire businesses had a long history of trading with the Commonwealth and the county had a tradition of welcoming people from these countries who have made their homes in Gloucestershire.

e) Gloucestershire Music

On 8 and 9 April 2017 over 100 young musicians from Gloucestershire would be competing in the finals of the National Concert Band Festival, the UK's largest competitive wind and jazz band festival.

f) Children and families – The Chairman thanked all the staff and members who had been involved with the Ofsted inspection. Members appreciated the extra work that an inspection would brought.

18. PUBLIC QUESTIONS

Twenty-one written public questions had been received. The following supplementary questions were asked:

Question 1 – Martin Large questioned the factual accuracy of the figures provided in 2015 for the costs of cancelling the Javelin Park contract. He asked if the member could specify the financial and environmental benefits of the incinerator over 25 years compared to cheaper and more flexible methods of waste disposal.

In response Cllr Ray Theodoulou stated that the figures had been accurate at the time, but could have been subject to change. He did not see that there was public interest in a more detailed breakdown.

Question 2 – Jojo Mehta stated that there was a moral and legal responsibility to protect the Council given that the Javelin Park contract was the biggest the Council had ever undertaken. She explained that a complaint had been made to the Competition and Markets Authority, she asked how the leader could justify allowing the contract to be signed knowing these consequences.

Cllr Mark Hawthorne replied that despite the concerns raised by the member of the public, no alternative had been brought forward. The Council had undergone a long

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procurement route and there had been opportunities throughout that process for concerns to be raised. Planning permission had been gained and the decision had been made in a democratic way.

Question 3 – Rachel Smith asked whether Cabinet would commit to the release of all major contracts to the public as there was a clear public interest in having full access.

Cllr Ray Theodoulou explained that a cross party working group would be responding to that issue.

Question 4 – Gerald Hartley suggested that the use of the recycling position was misleading as percentages were distorted by tonnage being added to recycle. He asked whether it was time to use ‘tonnage per capita to landfill’ as the figure to publicise?

Cllr Ray Theodoulou suggested that a member of Stroud Council would be welcome to attend the Joint Waste Committee and make a proposal if they wished to do so.

Question 5 - Gerald Hartley asked that if Stroud’s waste to landfill figures were replicated across the County, would the total amount sent to landfill be enough to serve the incinerator?

Cllr Ray Theodoulou stated that figures produced showed that Stroud had some way to catch up with regards to waste performance.

Question 6 – Gerald Hartley asked how the costs of the appeal against the Information Commissioner’s decision would have been funded if there had not been a budget approved by Council.

In response, Cllr Ray Theodoulou stated that this was a hypothetical question with no answer.

Question 7 – Gerald Hartley stated that if the Council and UBB did not accept that schedule 23 was an exhaustive list, could they choose which elements they would alter or ignore in response to FOI?

Cllr Ray Theodoulou replied that enquiries were responded to in good faith and following procedure.

Question 8 – Gerald Hartley asked what the County Council’s view was on the Local Government Transparency Code and whether there would be any review.

Cllr Ray Theodoulou referred him to the answer to question 3 which detailed the cross party working group.

Question 9 – David Willingham asked whether it undermined public confidence in the County Council if, when constituents reported issues, there was ‘buck passing’

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and arguments on budgets. He suggested that the only way to progress issuing was to escalate to councillors or use the local media.

Cllr Vernon Smith stated that he did not agree with the individual's view and that the specific incident he referred to had been resolved.

Question 11 – David Willingham provided details of the movement of a sign and taxi rank and asked for better collaboration between highways and licensing teams so that it would not be disjointed.

Cllr Vernon Smith stated that all parties worked in partnership together.

Question 12 – David Willingham asked that officers keep him informed about the highway surface remodelling work at Alstone Lane so he could let residents know when it had been fixed.

Cllr Vernon Smith replied that he was happy to make sure that Local Highways Managers kept him updated.

Question 15 – David Willingham asked whether it changed the risk profile around likely collisions for cyclists on A435 Cirencester Road if the council was aware of cyclists using the other side of cones to avoid traffic streams.

Cllr Vernon Smith stated that he could raise this with the Commissioning Director at an upcoming meeting.

Question 17 – David Willingham asked whether extra funding would be made available for safe cycling provision.

Cllr Vernon Smith stated that he would be meeting with the Commissioning Director and this was where any additional tweaks to the programme could be discussed.

Question 20 – Iain Richens asked the member to explain how he could say the judge upholds the appeal on the Council's Waste contract when a quote from the decision stated that 'we have rejected the Council and UBB's case to a great extent'

Cllr Ray Theodoulou stated that there were elements within the contract that were upheld and that it was not a complete finding against council.

Three oral questions were received:

Question 1 - Sue Oppenheimer suggested that a thorough assessment using independent experts showed that the Incinerator contract did not provide value for money. In the first ten years or more the incinerator would be more expensive than any other alternative, including continuing to landfill. She asked if the cabinet member would ask officers to plot the costs over the 25 years?

Cllr Ray Theodoulou stated that the council had carried out an open and transparent tender process with opportunities for other companies to submit bids.

Question 2 – Sue Oppenheimer informed members that Community R4C's barrister had submitted a complaint to the Competition and Markets Authority, copied to the Chief Executive of the Council, showing that the Javelin Park Incinerator Contract had broken competition law. She suggested that this had left the Council exposed to massive risk and she asked whether the council had undertaken a risk assessment in relation to this.

Cllr Ray Theodoulou replied that it would be unwise to comment on the matter at this time when the Council would be asked to respond. He stated that an open procurement process had been undertaken in line with best practice at the time and acting on legal advice.

Question 3 – Sue Oppenheimer stated that in the tribunal ruling regarding the County Council's appeal against the Information Commissioner, Judge Shanks stated that "The Cabinet system tends to concentrate decision making in the hands of a small number of people, and individual elected Councillors do not always have the capability to ask for or act on the information that others might. In the end it is the electorate which must hold the Council as a whole to account and the electorate are more able to do that properly if relevant information is available to all." She asked, would the Cabinet Member agree with this comment?

Cllr Ray Theodoulou stated that the Judge was entitled to his opinion about the form that Local Government took and that many others would hold a different view.

19. PETITIONS

Cllr Sarah Lunnon presented a petition to Cllr Mark Hawthorne on 'Hands Off Our NHS' from Stroud residents.

20. CORPORATE PARENTING

Cllr Paul McLain, the Cabinet Member for Children and Young People and Strategic Commissioning, provided an update.

He explained that it was important that the role of Corporate Parenting was a real focus for the next Council. He outlined the Regulation 33 visits which had been undertaken and the work that was being led by ambassadors.

He was proud of the work of the virtual school and the awards ceremony that brought home to all how important it was for councillors to be corporate parents and be proud of the children's achievements.

He emphasised the role of scrutiny in considering the performance data in order to allow the Corporate Parents Group to be 'parents'.

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Members thanked Cllr McLain for his work as the Cabinet Member and commended the work undertaken by officers. One member noted that a vast improvement had been made and that the Council would continue to work to improve the experience for our Children in Care.

Members noted the need for appropriate training for new members with regards to Corporate Parenting, noting that many would be unaware of their responsibilities when first being elected.

One member commented that Central Government were making reductions in the funding required by Local Government in order to provide the services to support the most vulnerable. She asked for the Cabinet Member to comment. In response, Cllr Paul McLain explained that Gloucestershire County Council had made a commitment to the most vulnerable and additional funding had been provided in the latest budget. He explained that when resources had been tight, investment had still been made in social workers.

21. MOTIONS

Motion 789 - Highways Contract

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

This Council notes that last year the Highways Commissioning Team prepared and carried out a review of the Amey highways contract to enable a decision to either extend the contract for a further 3 years or to terminate it in 2019.

This Council is aware that it takes between 18 and 24 months to retender the highways contract. This Council is disappointed however that no engagement has yet to take place with local parish, town and district councils regarding the decision to [possibly] extend the highways contract with Amey.

This Council has previously expressed concerns over the disappointing satisfaction levels with service amongst both members and parish councils. The issues of customer focus and communications have also been identified as needing significant improvement.

To head off any decisions being made behind closed doors, this Council requests that the Highways Commissioning Team through existing resources conducts a full consultation with local parish, town and district councils regarding the decision to either extend or to terminate the highways contract with Amey. The results of this consultation to be reported back for member discussion at the full Council meeting on 28 June 2017.

Cllr Hodgkinson stated that the Liberal Democrat Group on the council had consistently requested that Amey be better monitored in response to the many concerns raised by the people of Gloucestershire. He highlighted the number and

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regularity of motions submitted by his group on this matter. He also noted that the Labour Group has also put forward motions relating to Amey.

He informed council that he felt that the condition of highways in the county was an embarrassment, and damaging to the council's reputation.

It had taken Amey over 2.5 years to start hitting their targets on a 5 year contract. Cllr Hodgkinson stated that before a decision was made with regard to the contract going forward it was important to receive feedback from parish, town and district councils. He was disappointed that the survey had not already been undertaken and questioned whether this was because the Administration were concerned about feedback so close to an election.

The Labour Group proposed an amendment to paragraph two of the motion (proposed by Cllr Kirby, seconded by Cllr L Williams):

This Council is aware that it takes between 18 and 24 months to retender the highways contract. This Council is disappointed however that no engagement has yet to take place with local parish, town and district councils regarding the decision to ~~[possibly] extend the highways contract with Amey.~~ delivery model ranging from in-house provision, fully contracted, or a hybrid service.

Cllr Kirby stated that the Labour Group felt that the renewal of the contract opened up opportunities to influence the design of the delivery model going forward and it was important to reflect people's experience and understand their view on how the contract should be delivered in the future.

Commenting on the amendment, a member expressed the view that in the main people would not know about the delivery model. He was not happy about the wording of the amendment.

Another member stated that he wanted the new council to be able to carry out a consultation without delay, and make a decision as to how to proceed. He indicated that he could not support the amendment as worded. He did acknowledge that it would be important to consider a wide range of options. He also commented that he thought that it had not been helpful to get rid of the highways estimates meetings, which had been very useful. He informed council that he thought that it would be helpful to look at the model used by Cumbria County Council. He thanked Sally Godwin, Gloucester Highways Manager, for her help in delivering projects in his division, and also stated that the council did have excellent highways officers.

Cllr Mark Hawthorne, Leader of the council, stated that he felt that the change of wording in the amendment allowed for a broader conversation, which would be a more useful exercise. He also informed the council that the Conservative Group had an amendment to the motion.

The Chairman reminded members that the procedure for the meeting allowed the consideration of one amendment at a time. Cllr Hawthorne indicated that the Conservative amendment was potentially a friendly amendment and so the

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Chairman agreed that it be put forward for the consideration of the previous proposers. The amendment to paragraph four, proposed by Cllr Vernon Smith and seconded by Cllr Mark Hawthorne stated that:

*To head off any decisions being made behind closed doors, this Council requests that the Highways Commissioning Team through existing resources ~~conducts a full consultation with~~ **seeks the views of** local parish, town and district councils regarding the decision to either extend or to terminate the highways contract with Amey. The results of this consultation to be reported back for member discussion at the full Council meeting on 28 June 2017.*

Cllr Mark Hawthorne explained that his group's amendment only changed the wording with regard to consultation, in recognition that a consultation was a legally defined process in respect of timescales. He was concerned that the use of the word consultation would mean that the deadline in the substantive motion could not be achieved due to the requirement to conduct a formal exercise.

At the instigation of the Chairman it was agreed to pause the timing of Motion item, whilst the proposers and seconders of the motion and amendments discussed and agreed the wording of the motion. The following wording was then presented to council for debate as the substantive motion.

This Council notes that last year the Highways Commissioning Team prepared and carried out a review of the Amey highways contract to enable a decision to either extend the contract for a further 3 years or to terminate it in 2019.

This Council is aware that it takes between 18 and 24 months to retender the highways contract. This Council is disappointed however that no engagement has yet to take place with local parish, town and district councils regarding the decision to [possibly] extend the highways contract with Amey and the delivery model ranging from in-house provision, fully contracted, or a hybrid service.

This Council has previously expressed concerns over the disappointing satisfaction levels with service amongst both members and parish council. The issues of customer focus and communications have also been identified as needing significant improvement.

*To head off any decisions being made behind closed doors, this Council requests that the Highways Commissioning Team through existing resources, **seeks the views of** local parish, town and district councils regarding the decision to either extend or to terminate the highways contract with Amey. The results of this consultation to be reported back for member discussion at the full Council meeting on 28 June 2017.*

Cllr Vernon Smith, Cabinet Member Highways and Flood, stated that he welcomed this motion. He acknowledged that Amey had had a poor start but was now hitting targets, and agreed that it was a good idea to talk about the type of contract that was required. He was clear that his agenda was to improve the highway network in

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Gloucestershire. He wanted to hear the views of the Parish Councils and to move forward with the correct contract for Gloucestershire.

Cllr Chris Coleman, seconder of the substantive motion, stated this was an issue that was consistently raised by residents. There have been longstanding concerns regarding the contract with Amey and now there had been a delay with the satisfaction survey which he suggested was a delaying tactic. He stated that this motion presented a real opportunity to hear from residents on their views, and to ensure that the parish, town and district councils had an opportunity to influence any decision to extend the relationship with Amey.

Another member commented on the impact that the lack of investment in roads had on people's lives, and talked of elderly people in her division who did not feel safe going out at night, particularly in winter, and were becoming prisoners in their own homes.

Another member stated that it was important to thank the council staff who acted as a conduit between elected members and Amey. He also stated that it was important to not overlook the impact on the business community.

Cllr Hodgkinson in concluding the debate stated that he welcomed the enthusiasm of the Cabinet Member but the general public wanted action on the ground. He was pleased that the debate on the motion had achieved a positive way forward.

On being put to the vote the council.

RESOLVED that

This Council is aware that it takes between 18 and 24 months to retender the highways contract. This Council is disappointed however that no engagement has yet to take place with local parish, town and district councils regarding the decision to [possibly] extend the highways contract with Amey and the delivery model ranging from in-house provision, fully contracted, or a hybrid service.

This Council has previously expressed concerns over the disappointing satisfaction levels with service amongst both members and parish council. The issues of customer focus and communications have also been identified as needing significant improvement.

To head off any decisions being made behind closed doors, this Council requests that the Highways Commissioning Team through existing resources, seeks the views of local parish, town and district councils regarding the decision to either extend or to terminate the highways contract with Amey. The results of this consultation to be reported back for member discussion at the full Council meeting on 28 June 2017.

Motion 790 - Saving Our NHS

Cllr Iain Dobie, proposed and Cllr David Brown seconded, the following motion:

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This Council notes that the NHS is going through the biggest crisis in its history.

The impact of this can be seen locally affecting ambulance response times, Accident and Emergency waiting times, the length of time it takes to get a GP appointment and changes to the Minor Injury and Illness Units (MIUs) across the county.

This Council is concerned that with a sustained fall in NHS funding our local services in Gloucestershire will continue struggling to cope.

The Government has refused to give the NHS the extra funding that it needs with the percentage of our national income spent on the NHS set to fall between now and 2020. The UK is a relatively low spender on health care and this Council would therefore like to see adequate funding.

This Council resolves that the Leader of this Council and the Chief Executive write to the Secretary of State for Health, the Rt Hon Jeremy Hunt MP, calling the Government to establish a cross-party NHS and Care Convention with the objective of obtaining a long-term settlement for NHS and Care Services.

Cllr Iain Dobie, proposer of the motion, used a family experience to illustrate his concerns about the current challenges faced in the NHS. He stated that the funding challenges were having a real impact on people. He referred to the financial difficulties faced by the Gloucestershire Hospitals NHS Foundation Trust, and that at the recent meeting of the Health and Care Overview and Scrutiny Committee members had been informed that the opening position for April 2017 was a £42m deficit, and that this would require the trust to deliver a cost reduction programme equivalent to 6.2% of applicable spend (2017/18). He stated that it was hard to see how cuts of this size would not be delivered without rationalising services currently offered in both Cheltenham and Gloucester hospitals. He also suggested that the roll-out of the Sustainability and Transformation Plan could lead to the closure of at least one of the county's local hospitals. He stressed the need for the national cross party group on NHS and Care Services with the objective of obtaining a long-term settlement.

Cllr David Brown, seconder of the motion, also used personal experience to illustrate his concerns. He referred to the recent Panorama programme 'Britain's Home Care Crisis' which had discussed the challenges in this area, including the number of companies closing down, or at risk of insolvency. He stated the importance of, and difficulties in, recruiting staff, and being able to retain good staff. He indicated that given the funding pressures it was not a surprise that so many care agencies were 'going bust'. He welcomed the additional funding that the government had made available for adult social care.

A member stated that most people were aware of the challenges faced by the health service. It was therefore of concern that the percentage of Gross Domestic Product spent on health was predicted to drop to 17%. She further stated that it had been claimed that the answer to the problems in the NHS was the Sustainability and Transformation Plans (STP), however Gloucestershire's STP had a huge

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financial hole in it. She felt that the proposals in Gloucestershire were not sustainable. With regard to the cross party working group she did not see how this could work as all political parties had major differences. She felt that the answer to the problems in the NHS was the NHS Reinstatement Bill which had been proposed by Caroline Lucas (Green MP for Brighton Pavilion). She did not feel able to support this motion.

Cllr Steve Lydon proposed an amendment to this motion, seconded by Cllr Brian Oosthuysen:

This Council celebrates all our hardworking NHS colleagues in the county and wishes to send a motion of appreciation to them at this difficult time. This Council notes that the NHS is going through the biggest crisis in its history.

The Council also notes that the NHS crisis began following the Coalition Government's Health and Social Care Act (2012), which was voted for by both Liberal Democrat and Conservatives MPs in Gloucestershire. This Council also notes that the British Medical Association, the Royal College of Nurses, the Royal College of Midwives and the Royal College of General Practitioners all opposed the Coalition Government's Health and Social Care act, and warned that it would cause a decline in NHS provision. This Council also notes that it was under the Liberal Democrat/Conservative Coalition Government that Cheltenham Accident and Emergency was downgraded.

The impact of this can be seen locally affecting ambulance response times, Accident and Emergency waiting times, the length of time it takes to get a GP appointment and changes to the Minor Injury and Illness Units (MIUs) across the county.

This Council is concerned that with a sustained fall in NHS funding our local services in Gloucestershire will continue struggling to cope. This Council also notes concerns over the future of hospital and maternity provision in Stroud and asks that reassurances are made to residents that the service will be retained.

The Government has refused to give the NHS the extra funding that it needs with the percentage of our national income spent on the NHS set to fall between now and 2020. The UK is a relatively low spender on health care and this Council would therefore like to see adequate funding.

This Council asks that the Chairperson of the Health and Overview Scrutiny Committee directs the committee's attention to the role of the Health and Social Care Act in the destabilisation of the NHS in Gloucestershire. The Council asks that the Chairperson reports back to this Council with their findings. This Council resolves that the Leader of this Council and the Chief Executive write to the Secretary of State for Health, the Rt Hon-Jeremy Hunt MP, calling the Government to establish a cross-party NHS and Care Convention with the objective of obtaining a long-term settlement for NHS and Care Services.

Cllr Lydon stated that he had not signed up to the STP. While acknowledging that it was a Labour Government that had introduced the Private Finance Initiative, he

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explained that he had not supported it. He stated his concerns with regard to the availability of qualified staff, and highlighted the recruitment challenges faced in the NHS, and the potential impact of Brexit on the availability of carers.

Cllr Oosthuysen, seconder of the amendment, stated that he was aware that some other areas had been more open about their STPs and that the NHS Commissioner had indicated that there would be widespread cuts.

At the instigation of the Chairman it was agreed to pause the timing of the motion item, whilst the proposers and seconders of the motion and amendments discussed and agreed the wording. The following wording was then presented to council for debate as the substantive motion:

This Council celebrates all our hardworking NHS colleagues in the county and wishes to send a motion of appreciation to them at this difficult time. This Council notes that the NHS is going through the biggest crisis in its history.

The impact of this can be seen locally affecting ambulance response times, Accident and Emergency waiting times, the length of time it takes to get a GP appointment and changes to the Minor Injury and Illness Units (MIUUs) across the county.

This Council is concerned that with a sustained fall in NHS funding our local services in Gloucestershire will continue struggling to cope. This Council also notes concerns over the future of hospital and maternity provision in Stroud and asks that reassurances are made to residents that the service will be retained.

The Government has refused to give the NHS the extra funding that it needs with the percentage of our national income spent on the NHS set to fall between now and 2020. The UK is a relatively low spender on health care and this Council would therefore like to see adequate funding.

This Council resolves that the Leader of this Council and the Chief Executive write to the Secretary of State for Health, Jeremy Hunt MP, calling the Government to establish a cross-party NHS and Care Convention with the objective of obtaining a long-term settlement for NHS and Care Services.

Cllr Binns, Cabinet Member Older People, stated that the motion was just an opportunity for political scaremongering. She informed the meeting that there has never been mention of a closure of Stroud Maternity Hospital and that Cllr Lydon attended a meeting with NHS colleagues in January 2017 and was assured in writing that there were no plans regarding closure of this facility. She welcomed the additional £2billion funding from government to support adult social care; and supported our NHS colleagues in their work.

A member stated that this government was not doing enough to support the NHS. He questioned the assurances relating to potential closures and informed the meeting that his experience was that assurances could be reneged on. Another member stated that the NHS did not always tell you what they were going to do and

suggested that there were structural issues in the NHS. She also stated that as a council we should be writing to the government about the issues, e.g. demand pressures, staffing issues, the aging population and aging workforce, and the need to get people trained.

There was a shared view across the meeting that politics should be taken out of debates about the NHS, but also recognition that this was not what was happening.

Cllr Hawthorne, Leader of the Council, stated that there was planned investment in the NHS growing from £730 million next financial year to £803 million by 2020. The additional funding identified by the Chancellor in the Spring Budget would mean an extra £21 million for Gloucestershire. He stated that this demonstrated that the government was not failing the NHS.

Cllr Dobie, proposer of the motion, summed up by stating that his intention was not to scaremonger. The issues demonstrated by the Panorama programme on home care providers, including the impact on people trying to leave hospital and consequently resulting in 'bed blocking', clearly showed that a long term sustainable solution was needed.

A vote was taken on the motion and it was

RESOLVED THAT

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This Council is concerned that with a sustained fall in NHS funding our local services in Gloucestershire will continue struggling to cope. This Council also notes concerns over the future of hospital and maternity provision in Stroud and asks that reassurances are made to residents that the service will be retained.

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This Council resolves that the Leader of this Council and the Chief Executive write to the Secretary of State for Health, Jeremy Hunt MP, calling the Government to establish a cross-party NHS and Care Convention with the objective of obtaining a long-term settlement for NHS and Care Services.

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Ten members of council had demanded a recorded vote. The outcome of which was:

For – Cllrs Brown, Coleman, Cordwell, Dobie, Fisher, Gill, Harris, Hay, Hilton, Hodgkinson, Kirby, Leppington, Lunnon, Lydon, McHale, McMahon, Millard, Morgan, Oosthuysen, Robbins, Sudbury, Sztymiak, Wheeler, J Williams, L Williams, S Williams.

Abstain – Cllrs Awford, Binns, Bird, Blackburn, Gravells, Harman, Hawthorne, Hicks, McLain, Molyneux, Moor, Parsons, Preest, Robinson, Smith, Stowe, Theodoulou, Tipper, Tracey, Vines, K Williams, Wilson, Windsor Clive.

Motion 792 - Blue Badges

Cllr L Williams proposed and Cllr Millard seconded the motion detailed on the agenda.

Cllr L Williams stated that a review of this process was needed, and asked all members of council to support the motion.

Cllr Millard stated that local residents had raised issues relating to the application process for blue badges, including the lack of information as to why an application had been declined.

A member stated that it was not helpful that not all car parks were Disability Discrimination Act compliant and that in Cirencester they were trying to address this matter. He hoped that there would be support for this review across all the district councils.

It was also stated by other members that it was important that the Blue Badge scheme was a transparent process, that the criteria should enable those people that needed a blue badge be able to access one, and that this process affected some of the most vulnerable people in the county.

On being put to the vote the council

RESOLVED that

This Council recognises that regulations over who can and cannot get a blue badge are getting much stricter. As a Council we believe everyone who needs a blue badge should be able to get one.

This Council commits to review its Blue Badge Policy criteria and will invite all relevant community groups and interested partners to an open consultation over how we can make this service more accessible.

This Council asks that a report is produced with options on how to achieve this by the end of 2017 which is in turn given to Council to discuss.

Motion 791 - Public Bus Services

Cllr Kirby proposed and Cllr Oosthuysen seconded the motion detailed on the agenda.

Cllr Kirby stated that the future was unclear and that he felt that it was important that the council kept all options open. Cllr Oosthuysen stated the importance of a good infrastructure particularly with regard to trying to address rural isolation.

The Conservative Group put forward a friendly amendment which was accepted by Cllr Kirby and became the substantive motion:

This Council notes:

- a) *That the Bus Services Bill currently passing through Parliament includes Clause 21 that will effectively 'prohibit a local authority from forming a company for the purposes of providing a local bus service'.*
- b) *That the Localism Act (2011) provides general powers of competence to local authorities.*
- c) *That municipal bus companies like Reading and Nottingham provide some of the best bus services in the country and have a successful track record of increasing bus passenger numbers and providing high quality bus services.*
- d) *That polling by We Own It found that a majority of the public (57%) oppose clause 21, whilst just 22% support it. The opposition to Clause 21 is consistent across voters from all political parties.*

This Council believes:

- a) *Clause 21 contradicts the general powers of competence and the spirit of the Localism Act 2011.*
- b) *If there is a need and a demand from their public, then Councils should be able to provide their own bus services.*
- c) *Should they wish, Councils should be legally able to follow the model developed by Reading and Nottingham.*
- d) *Consequently Clause 21 should be omitted from the Bus Services Bill.*

This Council resolves:

- a) *To write to Lord Ahmad and to call on the Department for Transport to omit Clause 21 from the final legislation*
- b) *To write to our MPs in the county ~~to ask them to oppose~~ **explain the views of the council on** clause 21 when the Bus Services Bill reaches the*

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House of Commons and ask them to write to Lord Ahmad and the Department of Transport to raise concerns about Clause 21.

~~*To work with any organisations such as 'We Own It' to publicise our opposition to clause 21 in local media.*~~

Cllr Moor, Cabinet Member Fire, Planning and Infrastructure, thanked Cllr Kirby for accepting the friendly amendment. He stated that there were only eight municipal bus companies in operation in England at present. Given the substantial investment, and therefore significant drain on capital resources, that would be required to make this work here, there was no aspiration to establish a municipal bus company for Gloucestershire. Cllr Moor stated that the important aspects going forward were ensuring the future funding to underpin unprofitable bus routes, and to support the concessionary bus scheme.

Cllr Kirby reiterated that the motion was about ensuring that opportunities were not lost.

On being put to the vote the council

RESOLVED that this Council notes:

- a) That the Bus Services Bill currently passing through Parliament includes Clause 21 that will effectively 'prohibit a local authority from forming a company for the purposes of providing a local bus service'.*
- b) That the Localism Act (2011) provides general powers of competence to local authorities.*
- c) That municipal bus companies like Reading and Nottingham provide some of the best bus services in the country and have a successful track record of increasing bus passenger numbers and providing high quality bus services.*
- d) That polling by We Own It found that a majority of the public (57%) oppose clause 21, whilst just 22% support it. The opposition to Clause 21 is consistent across voters from all political parties.*

This Council believes:

- a) Clause 21 contradicts the general powers of competence and the spirit of the Localism Act 2011.*
- b) If there is a need and a demand from their public, then Councils should be able to provide their own bus services.*
- c) Should they wish, Councils should be legally able to follow the model developed by Reading and Nottingham.*

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*d) Consequently Clause 21 should be omitted from the Bus Services Bill.
This Council resolves:*

e) To write to Lord Ahmad and to call on the Department for Transport to omit Clause 21 from the final legislation

f) To write to our MPs in the county to explain the views of the council on clause 21 when the Bus Services Bill reaches the House of Commons and ask them to write to Lord Ahmad and the Department of Transport to raise concerns about Clause 21.

The two hours allocated for the motion debates was now up and therefore motion 793 Grammar Schools in Gloucestershire, and motion 794 Bus Services were not debated.

22. MEMBER QUESTIONS

Sixty member questions had been received. The following supplementary questions were asked:

Question 1 – Cllr Iain Dobie asked if the independent report on air pollution monitoring in Gloucestershire could be made available to the Health and Care Overview and Scrutiny Committee.

Cllr Nigel Moor replied that it could be made available.

Question 2 – Cllr Iain Dobie asked why the County Council had declined to set an example by using electric vehicles.

Cllr Nigel Moor explained that the possibility was being explored and that a report would go to the next Council.

Question 3 – Cllr Paul Hodgkinson asked for more details on the precautionary approach being adopted around school buildings potentially containing asbestos.

Cllr Ray Theodoulou stated that the assumption was always made that the material could be present and that specialist teams were used.

Question 4 - Cllr Paul Hodgkinson asked what the likelihood was for other successful claims relating to asbestos in schools.

Cllr Ray Theodoulou replied that this was difficult to predict as they were historic claims with asbestos cases having stretched back over 20 years.

Question 5 – Cllr Paul Hodgkinson asked if the member could provide a full list of the buildings where the Council had spent £820,000 on asbestos removal.

Cllr Ray Theodoulou replied that he would try to make the information available.

Question 16 – Cllr Iain Dobie asked whether the Leader would speak to the Local Government Minister to ensure Gloucestershire was first in the queue for being able to retain 100% business rates.

Cllr Mark Hawthorne explained that Gloucestershire had been successful in the recently announced additional funding for adult social care. He understood that an announcement around pilot areas for 100% business rates would occur in the summer. Leadership Gloucestershire had made it clear that it would like Gloucestershire to be one of those areas included in the pilot.

Question 18 – Cllr Paul Hodgkinson asked that in light of the recent complaint lodged with the Marketing and Competition Agency, would the Council be meeting with UBB to discuss further financial losses pending the outcome of that judgement.

Cllr Ray Theodoulou replied that no plans had been made.

Question 21 – Cllr Paul Hodgkinson asked whether Northamptonshire was aware of the 'hazardess' substance that was being sent to them from Javelin Park.

Cllr Ray Theodoulou explained that all the material would be taken to a government approved location. The substance had a commercial use and so UBB were still looking at the most appropriate way to dispose of the material.

Question 24 – Cllr Barry Kirby asked how the County Council and the Police and Crime Commissioner were co-ordinating reports to ensure they were not covering the same ground in relation to the proposed business case around the transferring of GFRS governance. He was concerned about ensuring best value.

Cllr Nigel Moor stated that the final report should be made available to the new council. The Council had been in contact with the Commissioner's Office relating to the work but had not yet received a response from him.

Question 26 – Cllr Paul McMahon wished to express the Council's thanks to those officers who did so well to look after vulnerable people after what had happened with Cleeve Link.

Question 27 – Cllr Paul McMahon asked what provision was being made to investigate new service providers to ensure they were not in danger of going into liquidation.

Cllr Dorcas Binns stated that due diligence was undertaken and that she was grateful for all the hard work of the teams in responding to the difficulties in the Cleeve Link incident.

Question 30 – Cllr Brian Oosthuysen asked whether there were any plans for a comparative reduction in the budget for public health

Cllr Andrew Gravells explained that the Public Health budget was ring-fenced until 2018/19.

Question 31 – Cllr Lesley Williams asked that officers came to her first when informing people about the ‘Stonehouse Cable’ to help minimise disrupt and inform people.

Cllr Nigel Moor replied that he would do all he could to help.

Question 32 – Cllr Lesley Williams asked whether anything could be done to speed up the process of putting a TRO in place on Stonehouse High Street to prevent people getting unnecessary parking tickets.

Cllr Nigel Moor stated that there was nothing to add to the answer provided.

Question 34 – Cllr Iain Dobie asked when the Council would know about the conditions applied to the additional funding for adult social care and when would councillors be informed of any amendments to the 2017/18 budget as a result?

Cllr Dorcas Binns replied that the Council was not aware of the details yet; once they were available councillors would be notified.

Question 35 – Cllr Klara Sudbury asked whether the Cabinet Member believed that the Government were wrong to add extra money for adult social care.

Cllr Ray Theodoulou responded by asking why he would think that?

Question 36 – Cllr Klara Sudbury asked whether the Cabinet Member was distancing himself from the impact that cuts in funding were having on the most vulnerable.

Cllr Ray Theodoulou replied that the budget for vulnerable and elderly people had been protected.

Question 37 – Klara Sudbury stated that £37 million over the coming years against a £22bn black hole in NHS funding by 2021 wasn't going to go far. She asked if the member was optimistic that the additional funding would be provided by the extra money that Brexit campaigners had suggested would be available.

Cllr Mark Hawthorne replied that there was increased money going into the NHS in addition to increased funding in adult social care by the County Council. With regards to the Brexit referendum, he stated that the question had been put to the people and now politicians had received an answer which they had to respect.

Question 38 – Cllr Lesley Williams asked whether the Council had considered entering into the practice of open contracting so that they ‘wouldn't have to worry about hackers’ or need to spend money to then try to protect the data.

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Cllr Ray Theodoulou stated that he awaited the outcome of the Open Contracting cross party review.

Question 39 – Cllr Lesley Williams asked the member to provide some idea of the overall impact of what had happened with Cleeve Link.

Cllr Dorcas Binns stated that on 2 March Cleeve Link closed their doors. This was the first time the council had understood that there was a financial problem. The first priority had been to support people and ensure staffing through the night and the weekend. 4,000 hours of domiciliary care had been provided. Cleeve Link had also taken away vehicles and so taxis and staff had taken individuals to their appointments. The staff and carers had been brilliant and there had been 24/7 ‘manning’ of the phones and very few missed appointments. Now was the time to move forward. A meeting with shadows would be arranged to provide information to members on the costs involved.

Question 40 – Cllr Jeremy Hilton suggested that on the return visit to Gloucester by the Chinese delegation, one of the proposals made had been to transfer manufacturing from a Gloucestershire company to China. He asked whether it was correct that jobs would be moved from Gloucester to China.

In response Cllr Mark Hawthorne stated that there had been no conversations on business relocation and that the visit had been about Chinese businesses investing in Gloucestershire.

23. SCRUTINY REPORT

a) Scrutiny review

Cllr Brain Oosthuysen, Chairman Overview and Scrutiny Management Committee (OSMC), presented the Scrutiny Review report to council. A meeting of scrutiny chairs and vice-chairs had taken place on 28 February 2017 to undertake an ‘end of term’ review of overview and scrutiny at the Council. He drew member’s attention to the current inquiry by the Communities and Local Government Select Committee on Overview and Scrutiny, and that Overview and Scrutiny Management Committee had used the inquiry questions in this work.

Council noted the key messages within the report which outlined that feedback had been overwhelmingly positive and no changes proposed to the current scrutiny practices. There were some areas, particularly around working practices where improvements could be made.

b) Scrutiny update

i) Economic Growth Overview and Scrutiny Committee

Cllr Joe Harris, Chairman of the Committee, took this opportunity to thank Jo Moore, Senior Democratic Services Adviser, for her help and support to him and the committee.

ii) Environment and Communities Scrutiny Committee

Cllr Lunnon asked a question relating to recycling credits. She noted that this committee had discussed this matter before the release of the additional information in the Urbaser Balfour Beatty contract and suggested that the committee might wish to revisit this matter as recycling credits would now be a charge for this council and she questioned how this would be managed. She also indicated that following the release of the contract information she might have further questions. Noting that Cllr Lunnon was not standing in the upcoming election the Chairman of Council stated that council would no doubt see Cllr Lunnon in the public question lists in the next council. Cllr Theodoulou, Cabinet Member Finance and Change, stated that he would arrange for a response to this question.

iii) Health and Care Overview and Scrutiny Committee

As agreed at the start of the meeting Cllr Binns, Cabinet Member Older People, gave a short update on the situation with regard to Cleeve Link. She assured members that arrangements with care agencies across the county to pick up the domiciliary care that was previously provided by Cleeve Link have now largely been agreed. In most of the county these were already up and running with the Human Support Group covering Gloucester and Stroud; Radis were covering the Forest of Dean and parts of Tewkesbury Borough; Live Well at Home were supporting Tewkesbury Town and Marina Court; and Careful Care were supporting the Cotswolds.

Comfort Care were the fifth care agency involved and they were working with the council to ensure a smooth transition in Cheltenham; with the largest group of service users and staff this area has been the most difficult part of the transfer arrangements but that we were expecting this to be concluded by the weekend. In the meantime, council officers with support from partners, particularly Gloucestershire Care Services NHS Trust, were continuing to ensure people received the support that they needed. Cllr Binns stated that she was appreciative of the forbearance of service users and their families who have worked with the council to make these transitional arrangements work.

Cllr Binns repeated her appreciation of the Cleeve Link staff who had continued in their role and provided care, and could confirm, that all those who have stayed, were being kept on by the new providers. She also confirmed that the council had made good any missed pay in the interim and taken steps to ensure that the new providers would be able to pay all staff going forward.

Members agreed that this experience did raise questions and it was important to ensure that the lessons from this situation were identified. There was some feeling that the council should have been more aware of the risk; and that going forward people wanted certainty. The Chair and Vice Chair of the Health and Care Scrutiny Committee informed the meeting that this matter had been debated at the committee's meeting on 7 March 2017, and that the outcome of the review into this situation would be received by the committee in the new council. A member also stated that it would be important to ensure that this work included adult safeguarding issues.

iv) Children and Families Overview and Scrutiny Committee

Cllr Leppington took the opportunity to thank Jane Lloyd-Davies, Head of Education Performance and Inclusion, and Corey Pierce, National Graduate Development Programme, for their support to the Educational Attainment in Secondary Schools in the Forest of Dean Task Group.

Cllr Harman, Chair, thanked all the officers who have supported the committee in its work, and also those that work on the 'front line'.

A member stated that the issues identified in the task group report were reflected in a school in her division in Cheltenham. She suggested that the issues raised in this report could be the same across the wider school structure in the county. Cllr Harman indicated that this point could be reflected in the committee's work on this matter in the next council.

Council noted the Student Mental Health Task Group report which had been appended to the scrutiny report.

RESOLVED to note the report.

24. APPOINTMENTS COMMITTEE REPORT

RESOLVED that

the attached revised Pay Policy Statement 2017-18 be adopted.

25. CABINET MEMBER DECISION STATEMENT

This item was not considered.

26. HIGHWAYS PERFORMANCE REPORT

This item was not considered.

CHAIRMAN

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Meeting concluded at 3.05 pm