



## ORDINARY COUNCIL MEETING

**DATE: Wednesday, 18 February 2015 at 1.45pm**

**VENUE: Shire Hall, Gloucester**

### Present:

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

### Honorary Alderman

Bill Hobman

Apologies: Honorary Aldermen Ron Allen, Liz Boait, Bill Crowther, Barry Dare, Paul Drake, Mavis Lady Dunrossil, Charles Fellows, Deryck Nash, Terry Parker, John Sewell, Gordon Shurmer and Mike Williams.

Cllr Bill Whelan

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

### **3. MINUTES**

The minutes of the meeting held on 26 November 2014 were confirmed and signed as a correct record.

### **4. DECLARATIONS OF INTEREST**

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

### **5. ANNOUNCEMENTS**

#### **a) Queen's New Year Honours**

The Chairman congratulated the people living in Gloucestershire who received awards as part of the Queen's New Year Honours. He said that he had written to all of the individuals who had received awards. He made special mention of Margaret Willcox, Commissioning Director for Adults, who had received an OBE, and Bob Coles from the Gloucestershire Fire and Rescue Service who had received a British Empire Medal.

#### **b) Council Quality Award**

The Chairman advised that the Council had won a Quality Award for Excellence in the Rapid Deployment Category from SAP, the Council's business software supplier. This reflected the ability of the Council to achieve cost reductions and improve business efficiency through the introduction of a new financial management system. The Council won the award ahead of national organisations such as the National Grid and Universal Music and had been shortlisted for an international award.

The Chairman congratulated Andy Hammerton and David Powell from the Finance Team who had led on the project for the Council.

### **6. PUBLIC QUESTIONS**

One public question had been received. A copy of the question and answer was circulated and is attached to the signed copy of these minutes.

There were no supplementary or oral questions.

### **7. PETITIONS**

#### **a) Javelin Park incinerator contract**

The petition had been presented at the Extraordinary Council Meeting held earlier (see the minutes of that meeting).

**b) Member petitions**

Cllr Richard Leppington presented a petition to Cllr Vernon Smith, Cabinet Member for Highways and Flooding, calling for a 20mph speed limit at Church Walk, Viney Hill.

Cllr Sarah Lunnon presented a petition to Cllr Mark Hawthorne, Leader of the Council, calling for the Council to make public immediately the full unredacted text of the Council contract with Urbaser Balfour Beatty to build an incinerator at Javelin Park.

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

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

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

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

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

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

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

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

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

Cllr Mark Hawthorne, the Leader of the Council, presented the recommendation from the Cabinet meeting held on 5 February 2014. He said that it was the first budget of the Meeting the Challenge 2 Programme. He thanked the officers for all their hard work in helping to deliver £114 million of savings over four years as part of the Meeting the Challenge 1 Programme. The Council was smaller in terms of the number of staff employed and the number of properties occupied but he believed that it was better engaged with partners and the local community. He stated that the proposed 2015/16 budget would continue to protect vulnerable people. He referred to the investment in the recruitment and retention of social workers, record management and employment initiatives for people with learning disabilities.

The local economy remained a priority and funding had been secured for major projects through the GFirst Local Enterprise Partnership. The Government had made a commitment to resolve the A417 'Missing Link' at Birdlip. He said that more money was in people's pockets with the Council Tax frozen for the fifth year running. Members were able to support their local communities through initiatives such as Highways Local and Active Together. Public Health England had highlighted Active Together as best practice and was encouraging other local authorities to adopt a similar approach.

Cllr Ray Theodoulou, the Cabinet Member for Finance and Change, seconded the recommendation from the Cabinet and spoke in support of the proposals. He said that the overall budget for 2015/16 amounted to £420 million which was £8 million less than in 2014/15. The Capital programme amounted to £484 million but this was not expected to give rise to any further borrowing. Overall reserves had fallen by £12 million to £171.8 million with £19.8 million held in uncommitted reserves. He believed that reserves were at an appropriate level given the size of the budget and the uncertainties facing the council in coming years. He reminded members about the Public Sector Equality Duty and the need for them all, as decision makers on the Council Strategy and the Medium Term Financial Strategy, to show 'due regard'. He said that the Due Regard Statement formed an integral part of the Council's budget process.

Cllr Jeremy Hilton and Cllr Iain Dobie presented the amendments to the budget proposed by the Liberal Democrat Group. Cllr Hilton thanked officers for the work that they had undertaken in preparing the budget. He noted that the Coalition Government had provided a specific grant to allow the Council to freeze the council tax. He was pleased that the Liberal Democrat national initiative on the Pupil Premium continued to benefit children in the county's schools.

Liberal Democrat Group budget amendments:

- a) A one-off investment of £75,000 funded from the 'Building Better Lives' savings to tackle 'Disability Hate Crime' in Gloucestershire.
- b) A £100,000 investment to undertake the necessary feasibility and advance design work in preparation for delivering £500,000 of cycling schemes in 2016-17.
- c) A £10,000 investment funded from the Sexual Health part of the Public Health Ring Fenced Grant to carry out a study into Chlamydia/STI screening and the role of GPs across the county in encouraging more opportunistic screening.
- d) Approximately £100,000 be invested to provide free Wi-Fi in every county and community library.
- e) Every elected county councillor in 2015/2016 to receive an additional £5.5k (53 x £5.5K = £291,500) as part of their 'Highways Local' money for tree maintenance and/or tree planting in their division.
- f) A £10,000 one-off investment is given to the Red Cross Fire Emergency Support Service in order to double the number of volunteers from 12 to 24. The Red Cross Fire Emergency Support Service provides invaluable support to the Gloucestershire Fire and Rescue Service.
- g) A £10,000 one-off investment to provide support in the form of courses for those approved adopters who adopt older children and teenagers where high risk of disruption is recognised to be high. The aim is to further support these placements and reduce the chance of the placement breaking down.
- h) A £50,000 one-off investment package into a number of Road Safety Programmes including a repeat of all Year 5 pupils at Gloucestershire's primary schools being given the opportunity to have a session at Gloucester's SkillZone.

- i) A £20,000 one-off investment is given to the Child Sexual Exploitation (CSE) Team to work towards doubling the number of children who receive E-Safety in 2015/2016.

Cllr Lesley Williams and Cllr Steve Lydon presented the amendments to the budget proposed by the Labour Group. They thanked the officers for their hard work in preparing the budget. They believed that the budget put forward represented a budget of cuts that failed to meet the challenge for Gloucestershire. They noted that there were cuts to funding for vital services including Adult Social Care, Mental Health Services, Public Transport, the Fire Service and Trading Standards. They said that there was no mention of how further savings would be achieved beyond the May 2015 General Election. It was clear that the Council was intending to provide fewer and fewer services in the hope that others, including the voluntary sector, would step in to help.

Labour Group budget amendments:

- a) Implementing an increase in the Living Wage supplement. For reference, in 2014 the Living Wage increased from £7.65 an hour to £7.85 an hour. The Labour Group will implement the Living Wage increase.
- b) Treating people fairly: the Labour Group believes that people who work on behalf of the County Council should not live in poverty. Therefore when negotiating new contracts the County Council will now ensure that all employees working on behalf of GCC are paid the Living Wage and it will not use exploitative zero hours contracts.
- c) Dementia Care: the Labour Group believes that carers with a relative living with Dementia and all care workers who care for people with dementia should have dementia training. The Labour Group will set aside £100,000 to fund dementia training provision in the county (funds taken from the tax base increase).
- d) Mental Health: at present the County Council is looking to cut £264,000 from the Adult Mental Health Service. Labour would reinvest this money to increase capacity of our mental health system that is struggling to meet demand for its services.
- e) Child Poverty: in 2011 the UK Government stopped monitoring Child Poverty in the UK. As a result Gloucestershire County Council is unable to provide an accurate assessment of Child Poverty in the county. The Labour Group will set aside £70,000 to commission a Child Poverty study for Gloucestershire to identify the areas where Child Poverty endemic. The study will also report on

the causes of Child Poverty in the county and make recommendations as to how to tackle the problem. Funds to be taken from the tax base increase.

- f) Parenting Classes: the Council is investing significantly to support 'troubled families'. To complement this support the Labour Group will set aside £200,000 to trail parenting classes in Gloucester, Stroud, the Forest of Dean and Cheltenham.
- g) The Adoption Reform Grant: the Labour Group is gravely concerned that the Coalition Government has cut the Adoption Reform Grant. This funding is to help councils find adopters and improve the adoption system. In 2014/15 the Government gave the County Council £499,000 of funding. However no grant exists for 2015/16. The Labour Group will invest £250,000 to help increase the number of children adopted. Funding to be taken from the tax base increase.
- h) Concessionary Fares: the Labour Group will maintain all concessionary fares on dedicated park and ride services (costing £5,000, funds to be taken from the tax base increase). Extending Concessionary Fares: allowing people with disabilities and older people to use their concessionary travel card from 8.30am (to be taken from the tax base increase).
- i) Making cycling safe: the County Council to run a pilot scheme to improve cycling safety by providing bike lights to cyclists.
- j) Projecting Gloucestershire's Transport Programme: to reverse the planned £200,000 cuts to the Transport Programme. Instead freezing the budget to more effectively invest funds in maintaining rural bus services and expanding capacity on popular routes.

Cllr Sarah Lunnon moved and Cllr Klara Sudbury seconded a budget amendment that £50,000 be made available for a Rural Sustainable Drainage Pilot Scheme in the Frome catchment in the Stroud district.

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

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

- a) A £10,000 investment funded from the Sexual Health part of the Public Health Ring Fenced Grant to carry out a study into Chlamydia/STI screening and the role of GPs across the county in encouraging more opportunistic screening.

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- b) Approximately £100,000 be invested to provide free Wi-Fi in every county and community library.
- c) A £10,000 one-off investment is given to the Red Cross Fire Emergency Support Service in order to double the number of volunteers from 12 to 24. The Red Cross Fire Emergency Support Service provides invaluable support to the Gloucestershire Fire and Rescue Service.
- d) A £10,000 one-off investment to provide support in the form of courses for those approved adopters who adopt older children and teenagers where high risk of disruption is recognised to be high. The aim is to further support these placements and reduce the chance of the placement breaking down.
- e) A £50,000 one-off investment package into a number of Road Safety Programmes including a repeat of all Year 5 pupils at Gloucestershire's primary schools being given the opportunity to have a session at Gloucester's SkillZone.
- f) A £20,000 one-off investment is given to the Child Sexual Exploitation (CSE) Team to work towards doubling the number of children who receive E-Safety in 2015/2016.
- g) Implementing an increase in the Living Wage supplement. For reference, in 2014 the Living Wage increased from £7.65 an hour to £7.85 an hour.

The following budget amendments were accepted subject to amendment:

- a) A £100,000 investment to undertake the necessary feasibility and advance design work in preparation for delivering cycling schemes in future years.
- b) That every elected county councillor in 2015/2016 receives an additional £2,500 ( $53 \times £2,500 = £132,500$ ) as part of a one-off increase to their 'Highways Local' money, which may be used for tree maintenance and/or tree planting in their division.
- c) Projecting Gloucestershire's Transport Programme: to invest £100,000 into the Transport Programme. This will allow more effective investment of funds in maintaining rural bus services and expanding capacity on popular routes.
- d) To make £30,000 available for a Rural Sustainable Drainage Pilot Scheme in the Frome catchment in the Stroud district.



The following budget amendments were withdrawn:

- a) A one-off investment of £75,000 funded from the 'Building Better Lives' savings to tackle 'Disability Hate Crime' in Gloucestershire.
- b) Treating people fairly: the Labour Group believes that it is the County Council's that people who work on its behalf should not live in poverty. Therefore when negotiating new contracts the County Council will now ensure that all employees working on behalf of GCC are paid the Living Wage and it will not use exploitative zero hours contracts.
- c) Dementia Care: the Labour Group believes that carers with a relative living with Dementia and all care workers who care for people with dementia should have dementia training. The Labour Group will set aside £100,000 to fund dementia training provision in the county (funds taken from the tax base increase).
- d) Mental Health: at present the County Council is looking to cut £264,000 from the Adult Mental Health Service. Labour would reinvest this money to increase capacity of our mental health system that is struggling to meet demand for its services.
- e) Child Poverty: in 2011 the UK Government stopped monitoring Child Poverty in the UK. As a result Gloucestershire County Council is unable to provide an accurate assessment of Child Poverty in the county. The Labour Group will set aside £70,000 to commission a Child Poverty study for Gloucestershire to identify the areas where Child Poverty endemic. The study will also report on the causes of Child Poverty in the county and make recommendations as to how to tackle the problem. Funds to be taken from the tax base increase.
- f) Parenting Classes: the Council is investing significantly to support 'troubled families'. To complement this support the Labour Group will set aside £200,000 to trail parenting classes in Gloucester, Stroud, the Forest of Dean and Cheltenham.
- g) The Adoption Reform Grant: the Labour Group is gravely concerned that the coalition Government has cut the Adoption Reform Grant. This funding is to help councils find adopters and improve the adoption system. In 2014/15 the Government gave the County Council £499,000 of funding. However no grant exists for 2015/16. The Labour Group will invest £250,000 to help increase the number of children adopted. Funding to be taken from the tax base increase.

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- h) Concessionary Fares: the Labour Group will maintain all concessionary fares on dedicated park and ride services (costing £5,000, funds to be taken from the tax base increase). Extending Concessionary Fares: allowing people with disabilities and older people to use their concessionary travel card from 8.30am (to be taken from the tax base increase).
- i) Making cycling safe: County Council to run a pilot scheme to improve cycling safety by providing bike lights to cyclists.

The net cost of the amendments agreed to the 2015/16 budget was approximately £598,500 with £10,000 being funded from the Public Health Grant and not using the balance of £588,500 for debt redemption. All of the costs were one-off except the recurring costs of implementing an increase in the Living Wage supplement.

Members then moved into general debate on the budget.

Cllr Alan Preest, the Leader of the UKIP Group, thanked officers and was pleased that the Council had adopted a zero-based budget approach. He said that the Council needed to plan for the long-term and to start to address the cause of problems rather than the symptoms. He referred to the work currently being undertaken on the A40 at Over to improve traffic flow from the Forest of Dean. He hoped that the Council would take steps to improve employment opportunities in the Forest of Dean so that fewer people needed to travel to Gloucester and Cheltenham for work. He believed that there should be another look at unitary local government in order to make public services more joined up and achieve efficiency savings.

A member noted that a report would be presented to the Cabinet in April on 'Active Communities'. He said that if the Council was serious about 'demand management' then it needed to provide funding to build capacity in local communities. He hoped that the Council would work with partners, including the district councils who had important roles in areas such as housing.

In summing up, Cllr Hawthorne recognised the importance of the work around 'Active Communities' including strengthening relationships with the district councils. He believed that the joint arrangements with Gloucester City Council would help in co-ordinating activities. He acknowledged the fantastic work undertaken by parish and town councils across the county.

He expressed frustration at how late the district councils had declared the figures for the council tax surplus. He noted that it was the second year running that this had happened and it had resulted in real difficulties for the County Council in setting

its budget. He hoped that urgent steps would be taken to address this problem in future years.

**RESOLVED**

- 1 *That the 2015/16 update of the Council Strategy 2011-2015 be approved.*
  
- 2 *That, having considered the additional consultation responses and the Public Sector Equality Duty Assessment, approval is given to the MTFs and the revenue and capital budgets for 2015/16 amended to take account of the following changes:*
  - a) *A £10,000 investment funded from the Sexual Health part of the Public Health Ring Fenced Grant to carry out a study into Chlamydia/STI screening and the role of GPs across the county in encouraging more opportunistic screening (one-off expenditure to be funded from the Public Health Grant).*
  
  - b) *Approximately £100,000 be invested to provide free Wi-Fi in every county and community library (one-off expenditure instead of debt redemption).*
  
  - c) *A £10,000 investment is given to the Red Cross Fire Emergency Support Service in order to double the number of volunteers from 12 to 24. The Red Cross Fire Emergency Support Service provides invaluable support to the Gloucestershire Fire and Rescue Service (one-off expenditure instead of debt redemption).*
  
  - d) *A £10,000 one-off investment to provide support in the form of courses for those approved adopters who adopt older children and teenagers where high risk of disruption is recognised to be high. The aim is to further support these placements and reduce the chance of the placement breaking down (one-off expenditure instead of debt redemption).*
  
  - e) *A £50,000 investment package into a number of Road Safety Programmes including a repeat of all Year 5 pupils at Gloucestershire's primary schools being given the opportunity to have a session at Gloucester's SkillZone (one-off expenditure instead of debt redemption).*

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- f) A £20,000 investment is given to the Child Sexual Exploitation (CSE) Team to work towards doubling the number of children who receive E-Safety in 2015/2016 (one-off expenditure instead of debt redemption).
- g) A £100,000 investment to undertake the necessary feasibility and advance design work in preparation for delivering cycling schemes in future years (one-off expenditure instead of debt redemption).
- h) Every elected county councillor in 2015/2016 receives an additional £2,500 (53 x £2,500 = £132,500 as part of a one-off increase to their 'Highways Local' money, which may be used for tree maintenance and/or tree planting in their division (one-off expenditure instead of debt redemption).
- i) Implementing an increase in the Living Wage supplement. For reference, in 2014 the Living Wage increased from £7.65 an hour to £7.85 an hour.
- j) Projecting Gloucestershire's Transport Programme: To invest £100,000 into the Transport Programme. This will allow more effective investment of funds in maintaining rural bus services and expanding capacity on popular routes (one-off expenditure instead of debt redemption).
- k) To make £30,000 available for a Rural Sustainable Drainage Pilot Scheme in the Frome catchment in the Stroud district (one-off expenditure instead of debt redemption).

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

*Gloucestershire County Council 2015/16 Budget:*

	£000
Original 2014/15 Budget	428,107
<b>Inflation</b>	<b>3,001</b>
<b>Cost and spending increases</b>	<b>16,567</b>
<b>Cost Reductions</b>	<b><u>-27,463</u></b>
Total	420,032
<b>Less:</b>	
<b>Formula Grant</b>	<b>135,895</b>
<b>Council Tax Freeze Grant 2014/15</b>	<b>2527</b>

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<b>Public Health Grant</b>	<b>24,934</b>
<b>NHS Funding</b>	<b>11,596</b>
<b>New Homes Bonus (inc NHB Topslice Grant)</b>	<b>3,676</b>
<b>Education Single Grant</b>	<b>4,067</b>
<b>Education Statutory Responsibility Grant</b>	<b>1,265</b>
<b>Collection Fund Surplus</b>	<b>3,995</b>
<b>Total to be precepted (Council Tax Requirement)</b>	<b>231,116</b>

	<b>Taxbase</b>	<b>Total Precept</b>
	<b>Total</b>	<b>£</b>
Cheltenham	39,787.10	43,387,833
Cotswold	37,250.50	40,621,670
Forest of Dean	26,995.56	29,438,658
Gloucester City	35,439.70	38,646,992
Stroud	41,428.97	45,178,292
Tewkesbury	31,034.04	33,842,621
<b>Total</b>		<b>231,116,066</b>

- 4 a) That approval is given to the Capital programme set out in Annex 8 of the MTFS, and delegated authority is given to the Strategic Finance Director to vary allocations between individual schemes in consultation with the Deputy Leader and Cabinet Member for Finance and Change.
- b) That approval is given to the Operational Boundary and Authorised Limits of Borrowing, as set out in the Treasury Management Strategy, at Annex 10 in the MTFS as follows:

Operational Boundary for External Debt	2014/15	2015/16	2016/17	2017/18	
	Approved £m	Revised £m	Estimate £m	Estimate £m	
<b>Total</b>	<b>495.000</b>	<b>352.000</b>	<b>324.000</b>	<b>307.000</b>	

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- c) *Noting that the authorised limit for 2015/16 will be the statutory limit determined under section 3 (1) of the Local Government Act 2003.*
  
- d) *That the approval is given to the Prudential Indicators for Treasury Management set out in Annex 9 of the MTFs for*
  - (i) *Upper limit of fixed interest rate exposure of £291 million of net outstanding principal sums.*
  - (ii) *Upper limit of variable rate exposure of zero of net outstanding principal sums.*
  - (iii) *The maturity structure of borrowings as set out in Annex 10.*
  - (iv) *The upper limit for principal sums invested for more than 364 days of £100 million.*
  
- e) *That approval is given to the Risk Management Strategy set out in Annex 9 and the Treasury Management Strategy set out in Annex 10 of the MTFs.*

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

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

***For*** (37) – *Cllrs Phil Awford, Dorcas Binns, Rob Bird, Tony Blackburn, David Brown, Jason Bullingham, Dr John Cordwell, Iain Dobie, Andrew Gravells, Tim Harman, Joe Harris, Mark Hawthorne, Colin Hay, Tony Hicks, Jeremy Hilton, Paul Hodgkinson, Richard Leppington, Paul McLain, Patrick Molyneux, Nigel Moor, Shaun Parsons, Alan Preest, David Prince, Brian Robinson, Vernon Smith, Lynden Stowe, Mike Sztymiak, Ray Theodoulou, Brian Tipper, Pam Tracey, Robert Vines, Stan Waddington, Simon Wheeler, Kathy Williams, Suzanne Williams, Roger Wilson and Will Windsor Clive*

***Against*** (9)- *Cllrs Jasminder Gill, Barry Kirby, Steve Lydon, Steve McHale, Paul McMahon, Tracy Millard, Graham Morgan, Brian Oosthuysen and Lesley Williams*

***Abstentions*** (5) – *Bernard Fisher, Colin Guyton, Sarah Lunnon, Nigel Robbins and Klara Sudbury*

## 9. MOTIONS

Cllr Jeremy Hilton, Leader of the Liberal Democrat Group, advised that his Group were withdrawing the following motions. He said that the motions had been resubmitted for the next meeting to allow sufficient time for a proper debate.

### **Motion 736 - Children's Safeguarding Board**

Proposer - Cllr Joe Harris

Seconder - Cllr Jeremy Hilton

*This Council commends the work of the Gloucestershire Children's Safeguarding Board, but recognises that the membership of the Board is determined by Government statute as set out in "Working Together to Safeguard Children" (2013) and thus fails to allocate a place or places for locally elected councillors as full members of the Board.*

*This omission means that councillors and in particular the Cabinet Member for Children & Young People and Strategic Commissioning are not able to take full responsibility for keeping children safe in Gloucestershire.*

*This Council believes that councillors are held by the public to be ultimately responsible if there are significant failures in the safeguarding process and that it is wrong for councillors to be asked to undertake this role whilst not being provided with full membership on the key body responsible, namely: Gloucestershire Children's Safeguarding Board. Giving full membership rights would: -*

- *reassure the public that all decisions made by the Board have been subject to the full challenge of locally elected representatives;*
- *allow local councillors the opportunity to fully influence decisions being made via democratic means;*
- *improve the Board's deliberations and decisions;*
- *deliver greater transparency and accountability for the public.*

*This Council therefore resolves that the Leader of this Council and the Chief Executive write to the Secretary of State for Education and the Parliamentary Under Secretary of State for Children and Families to amend the statutory guidance to enable full participation by elected councillors in the work of the Children's Safeguarding Boards.*

### **Motion 738 - Highways contract**

Proposer - Cllr Paul Hodgkinson

Seconder - Cllr Jeremy Hilton

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*This Council's current highways contract with Amey has been in place since 1 April 2014. After eleven months of operating, this Council is still disappointed with Amey's performance.*

*This Council notes that following the Highways Governance Board meeting in July a summary of the meeting and of Amey performance issues was shared with the Highways Advisory Group, which subsequently met with Amey on the 17 October to discuss concerns.*

*This Council is aware that with all new contracts there is of course a settling-in period and that the timeliness of defect repair has been affected by system changes.*

*This Council will however no longer accept system changes and resource issues as a reason for performance falling below given targets.*

*This Council therefore asks both the Highways Governance Board and the cross party Highways Advisory Group to continue monitoring this contract and for financial penalties to continue being imposed if performance targets are not being achieved.*

## **10. MEMBERS' QUESTIONS**

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

The following supplementary questions were asked:

Question 1 – Cllr Paul Hodgkinson asked what the member's view was on small school funding.

Cllr Paul McLain referred the member to page 67 of the agenda pack, which was part of the budget report. He provided detail on minimum funding and capping and explained how that impacted upon Gloucestershire schools. He outlined his trust in the Schools Forum and any recommendations from them.

Question 2 – Cllr Paul Hodgkinson asked what the Leader was prepared to do for residents around the Air Balloon roundabout who had to endure poor air quality. He explained that recent statements by the Highways Agency indicated that work on the Missing Link would be unlikely to start in the near future.

Cllr Mark Hawthorne stated that Cotswold District Council had responsibility for air quality management and that the Council would encourage the Highways Agency to



move things forward. He would be happy to have further discussions with Cllr Hodgkinson on the issue.

Question 3 – Cllr Paul Hodgkinson explained that many rural communities did not know when, or if, they would be getting higher speed broadband. There was a lack of information on the delivery progress. He asked what the Council could do to give people better information.

Cllr Mark Hawthorne explained that BT had information down to individual property level but were unwilling to share this. Progress was being made in relation to the next phase of the programme and the Leader was happy to work with members to circulate that message.

## **11. CONSTITUTION COMMITTEE**

Cllr Mark Hawthorne, the Chairman of the Constitution Committee, presented the recommendations from the meetings held on 10 December 2014 and 4 February 2015.

### **a) Order of Council agenda – member questions**

***RESOLVED** that the current order of business at full Council meetings should continue, so that member questions are considered immediately following motions.*

### **b) Employee Code of Conduct**

Referring to the section of the code on 'disclosure and use of information', a member requested that this be looked at more closely in light of the debate at the Extraordinary Meeting on the incinerator contract at Javelin Park.

Cllr Hawthorne stated that this matter could be considered at a future meeting of the Constitution Committee but it was important that members recognised the legal constraints on officers.

***RESOLVED** that the revised Employee Code of Conduct, included at Annex A to the report, is approved and adopted.*

### **c) Gloucestershire Economic Growth Joint Committee**

***RESOLVED** to ratify the changes to the Constitution (as indicated at Annex B to the report), made by the Monitoring Officer under delegated powers, regarding the Gloucestershire Economic Growth Joint Committee.*

**d) Commons and Rights of Way Committee**

**RESOLVED** to ratify the changes to the Constitution (as indicated at Annex C to the report), made by the Monitoring Officer under delegated powers, regarding the Commons and Rights of Way Committee.

**e) Members' allowances**

Cllr Hawthorne stated that the Constitution Committee recommended that the Basic Allowance should be increased by £100 and not £150 as recommended by the IRP. This was in line with the staff pay rise and would result in a Basic Allowance of £9,100 for 2015-16. The Basic Allowance would continue to be used as the 'building block' for the Special Responsibility Allowances with the exception of the payments to the Political Group Leaders and Shadows which would be maintained as set figures.

**RESOLVED**

- i) To increase the Basic Allowance from £9,000 to £9,100 from 1 April 2015.
- ii) To adopt the Special Responsibility Allowances shown at Annex D (Appendix 1) to the report.

**f) Pensions Board**

**RESOLVED** that

- i) The revised Pension Board terms of reference (as indicated at Annex E to the report) be approved.
- ii) The following consequential amendments are made to the duties of the Pension Committee in Table 3.6 of Part 3 of the Constitution:
  - 11. To consider advice and recommendations from the Pension Board on areas that may improve the governance of the Pension Fund (the remit of the Pension Board is detailed in its Terms of Reference).
  - 12. To consider the Pension Board's proposed business plan for the forthcoming financial year and annual budget request.

**g) Contract Standing Orders**

**RESOLVED** that the new Contract Standing Orders, included at Annex F to the report, be approved and adopted.

**h) Chairman's casting vote**

A member suggested that a vice-chairman be appointed for each of the regulatory and quasi-judicial committees to help prevent any difficulties arising when a chairman was not present. These would include the Planning Committee, Commons and Rights of Way Committee and the Traffic Regulation Order Committee.

Cllr Hawthorne stated that this could be considered at a future meeting of the Constitution Committee.

**RESOLVED** to ratify the following change to the Constitution made by the Monitoring Officer under delegated power:

The following explanatory note shall be added to Part 4 of the Constitution as set out below:

15.2 Chairperson's casting vote

If there are equal numbers of votes for and against, the Chairperson will have a second or casting vote.

*'Note – To avoid deadlock on the election of a Chairperson or on a procedural motion relating to the election of a Chairperson, the matter will be determined by the toss of a coin.'*

**12. CORPORATE PARENTING**

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

**13. CABINET DECISION STATEMENT**

**RESOLVED** that the Cabinet Decision Statement s for the decisions taken on 10 December 2014 and 4 February 2015 be noted.

**14. CABINET MEMBER DECISION STATEMENT**

**RESOLVED** that the Statement of Individual Cabinet Member Decisions for the period 1 November 2014 to 31 January 2015 be noted.

**15. SCRUTINY REPORT**

**RESOLVED** that the scrutiny report be noted.

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

**CHAIRMAN**

The meeting ended at 4.25pm.