

## **COUNCIL**

**19th February 2019**

**Present:**        **The Mayor, Councillor Riaz, in the Chair**

**Councillors Agar, Altaf, A. Amos, B. Amos, Bayliss, Berry, Biggs, Cawthorne, Collins, Cronin, Denham, Denlegh-Maxwell, Ditta, Feeney, Geraghty, Gregson, Griffiths, Hodges, Mrs L. Hodgson, S. Hodgson, Johnson, Jones, Knight, Lamb, Laurenson, Mitchell, Riaz, Roberts, G. Squires, J. Squires, Stafford, Stalker, Stanley, Stephen and Udall**

The Mayor's Chaplain, Reverend John Everest, offered prayers prior to the Council meeting

### **52    Apologies for Absence**

None.

### **53    Declarations of Interest**

None.

### **54    Minutes**

**RESOLVED: That the minutes of the meetings held on 30<sup>th</sup> October 2018 be approved as a correct record and signed by the Mayor.**

### **55    Mayor's Communications**

#### **Guildhall Floodlighting**

The Mayor referred to the replacement floodlighting which helped to showcase the exterior of the Guildhall. He explained that the building had been lit up in one of the recognised colours of the branding of the Plastic Free Worcester campaign. The Council had agreed to end the purchase and use of single-use plastic products and the would encourage other organisations, businesses and event planners to take similar action.

#### **Welcome and Goodbye**

The Mayor welcomed Lloyd Griffiths, Corporate Director, Homes and Communities and Sian Stroud, Deputy Director – Governance, to their first meeting of the Council. He also thanked Maria Memoli, Interim Deputy Director – Governance, and made a presentation to her.

#### **Former City Councillor Geoff Williams**

All Members of the Council stood for a minute's silence in memory of former City Councillor Geoff Williams, who passed away in November 2018.

#### **Holocaust Memorial Day**

The Mayor thanked the many people who attended the annual Holocaust Memorial Day event recently at the Guildhall.

**World War 1 Exhibition**

The Mayor highlighted the exhibition of images, paintings and pictures currently on display in the Lower Hall.

**Talk to Me Worcester**

The Mayor highlighted the aims of this campaign, which he had recently launched.

**Chinese New Year Celebrations**

The Mayor had recently attended the Chinese New Year Celebrations. He thanked the Guildhall Staff and the Worcester Chinese Association for a great event.

**Visit to Pakistan**

The Mayor explained that he would be travelling Lahore in Pakistan for a 10 day visit, during which he would be meeting a number of civic dignitaries.

**Annual Pancake Race**

The Mayor had been invited to race in the Annual Pancake Race on Shrove Tuesday, 5<sup>th</sup> March at the Cathedral. Any support from Councillors would be most welcome.

**Mayor's Ball**

Tickets for the Mayor's Ball on Friday 15<sup>th</sup> March had sold out within 2 weeks of going on general sale and the Mayor thanked all who had purchased tickets. Anyone who had not managed to do so was welcome to make a donation to the Mayor's charities.

**Forthcoming Events**

The Mayor highlighted the Civic Lecture on 9<sup>th</sup> April and the Annual Medical Lecture on 16<sup>th</sup> April. All proceeds would benefit the Mayor's Charities and tickets were now available from the Mayor's office.

**Refreshments**

The Mayor invited everyone present to join him for refreshments in the Mayor's Parlour after the meeting.

**56 Public Participation**

None.

**57 Questions**

<b>Question No. 1</b>	
<b>Question From:</b>	<b>Councillor Chris Mitchell</b>
<b>Question To:</b>	<b>Councillor Marc Bayliss, Leader of the Council</b>
<b>Question:</b>	Councillor Bayliss, as the Leader of the Council I hope that you would support me in the view that the Council should, when dealing with the public always do so with respect and courtesy. Further I hope that you also agree that we as Councillors, in holding public office, should treat those members of the uniformed services and all professions and businesses that provide a service to the public our full support as in doing so we set an example to those members

	of the public who may believe otherwise. Could I ask that you publicly state that Worcester City Council support those people who provide a service to both the residents of Worcester City and all visitors to this great City?
<b>Answer:</b>	On behalf of myself, as Leader of the Council, I can say that I certainly echo those thoughts and would certainly support all those delivering services to the public and believe they should always be treated with respect.
<b>Supplementary Question:</b>	Councillor Bayliss, thank you for your positive and reassuring response. However, it would appear not all Councillors share your views. I recently heard a certain Member – an over-reaching Councillor’s podcast - in which the said Councillor was publically denigrating hardworking bus drivers, who under their stressful conditions deliver an environmentally friendly transport service to the residents of this city and our visitors. How do you feel about this unsavoury behaviour?
<b>Answer:</b>	I too heard the interview, and was surprised to hear - this was a quote that I heard: “Bus drivers need to be rather better at customer service and help people who are disabled, give people time who have difficulties getting on and off, and just offer basic politeness, which I’m afraid is quite often missing.” That’s a direct quote from the interview. I think that’s a pretty damning criticism of a group of workers in the city, who are giving a public service in difficult circumstances. It’s also a terrible generalisation of a whole group of people, and if a Tory had said such a thing about nurses in this city, they would have been castigated rightly for that. But because these workers work in a private bus company, they appear to have been fair game. I as Leader of the Council disagree with that. Bus drivers in Worcester are doing a challenging job and I think they deserve the support of Members across this Chamber for the services that they are providing.

<b>Question No. 2</b>	
<b>Question From:</b>	<b>Councillor Stephen Hodgson</b>
<b>Question To:</b>	<b>Councillor Marc Bayliss, Leader of the Council</b>
<b>Question:</b>	How much did the Warndon Parish Council by-election cost that was held on Thursday 13 <sup>th</sup> December 2018, and which organisation will be liable for meeting this unforeseen expense?
<b>Answer:</b>	The cost of delivering the by-election is still being finally tabulated, but the estimate is that it will be just under £10,000. Meeting those costs will be the responsibility of Warndon Parish Council.
<b>Supplementary Question:</b>	Is Councillor Bayliss aware that this particular by-election could actually have been avoided, because the provisions of

	<p>the 1972 Local Government Act allow Parish Councils to co-opt to vacancies? This particular Council seat will be contested, like the rest of the Council, in May this year. And in fact is he also aware that this by-election required 10 signatures from local residents, and at the meeting where the vacancy was announced, the Parish Council Clerk expressed the financial consequences of what happened if a by-election was called, and also pointed out that 10 names had to be received, and what happened was 4 of those names were Labour Party members of Warndon Parish North, including one candidate in last year's election to the Council?</p>
<b>Answer:</b>	<p>My Mayor, the City Council deals with administration of elections on behalf of the Parish Council. It is therefore a matter for this Council. I personally regret that a by-election was called, given that there are only 4 months of the term and the turnout for this election was a mere 7% of the electorate of Warndon Parish North. In fact only 77 people voted all day between 7am and 10pm in the evening, which really shows you just how pitiful the turnout was in this election. Perhaps that reflects that voters knew the election was going to be only for 4 months. I do regret that in a time of austerity, £10,000 of public taxpayers' money, for Warndon Parish Council in this case, was wasted on needless by-election, and I certainly hope that those members who called it – including Members who are sitting in this Chamber – regret doing so. And I certainly hope that if anybody from that area does knock on your door that you ask for your £5 per resident back.</p>

<b>Question No. 3</b>	
<b>Question From:</b>	<b>Councillor Andy Stafford</b>
<b>Question To:</b>	<b>Councillor Marc Bayliss, Leader of the Council</b>
<b>Question:</b>	<p>For many years local residents have made requests for a new children's play area on Cornmeadow Lane. I have taken every opportunity to push for this, the most recent opportunity being in July last year in response to a request for nominations for open space improvement projects.</p> <p>Last month, without prior communication with local members or residents, we were informed that an existing children's play area at Sheldon Park Road, currently comprising just three swings, would be transformed into an all singing, all dancing, 15 station children's play area. This size of play area, in this location, is completely inappropriate and represents a wasted opportunity to provide much needed facilities in the right location. The suddenness of the news, along with plans to complete by the end of March this year, has caused great upset amongst nearby residents.</p> <p>I am pleased to report that officers have agreed to put the</p>

	plans on hold so that local members and residents can have their say.  What can we do to improve Councillor/officer communication in order that similar situations do not happen again?
<b>Answer:</b>	Well, I'm glad to hear from the Member that Officers have now been in touch with him and his Ward colleagues regarding this plan. I certainly believe that Officers do their best to communicate with Members, particularly through the Committee structure. I do think where significant developments are planned in the Ward, there is a need for officers to make sure they engage with local Ward Members across this Council Chamber. Local Members know their patch best and will have a view on that. So before going out to the public I certainly hope that Members are communicated with and consulted. I hope that will help him in tackling any issues like this in the future.
<b>Supplementary Question:</b>	Can I count on your full support in ensuring that we get the best possible outcome for the residents in my Ward when it comes to upgrading this children's play area?
<b>Answer:</b>	Yes.

**58 Notice of Motion**

None.

**59 Members' Allowances: Independent Remuneration Panel Recommendation for Members' Allowances 2019/20 and Mayor's Allowance 2019/20**

The Council considered the report and recommendations of the Independent Remuneration Panel (IRP) for Members' Allowances, and other options identified in the report regarding the level of Members' Allowances.

Following a review carried out by the Monitoring Officer and Deputy Monitoring Officer of the first 12 months of the operation of the Committee System and a meeting with Group Leaders in January 2019, the IRP recommended in their report that the level of allowances payable for 2019/20 should be revised. The proposed new allowances were set out in Appendix 2.

It was proposed by Councillor Stephen and seconded by Councillor Bayliss that the Council agree Option 3 (2% Increase). Upon being put to the vote it was agreed and

**RESOLVED: That the Council agree that the level of Basic and Special Responsibility Allowances are increased by 2% from the level agreed by Council at its meeting on 16<sup>th</sup> May 2017.**

**60 Appointment of Monitoring Officer**

The Council considered the statutory appointment of a Monitoring Officer.

Sian Stroud had been appointed as the new Deputy Director – Governance with effect from the 11<sup>th</sup> February 2019. It was recommended that the Council agree to appoint her as the permanent Monitoring Officer with effect from 20<sup>th</sup> February 2019.

It was proposed by Councillor Bayliss and seconded by Councillor Gregson and on being put to the vote it was agreed and

**RESOLVED That the Council agree to appoint Sian Stroud, Deputy Director – Governance, as Monitoring Officer with effect from 20<sup>th</sup> February 2019.**

**61 Statutory Appointments: Returning Officer, Electoral Registration Officer and Deputy Electoral Registration Officer**

The Council considered the statutory appointment of a Returning Officer and Electoral Registration Officer. These posts were currently held on an interim basis by Shane Flynn, Corporate Director – Finance and Resources. It was recommended that Shane Flynn be appointed to the positions of Returning Officer and Electoral Registration Officer with immediate effect.

The Council also considered the appointment of a Deputy Electoral Registration Officer. It was recommended that Claire Chaplin, Democratic and Civic Services Manager, be appointed as Deputy Electoral Registration Officer, with the full powers of the Electoral Registration Officer, with immediate effect.

It was proposed by Councillor Gregson and seconded by Councillor Bayliss and on being put to the vote it was agreed and

**RESOLVED: That the Council:**

- 1. approve the appointment of Shane Flynn, Corporate Director – Finance and Resources as Returning Officer and Electoral Registration Officer and the appointment of Claire Chaplin, Democratic and Civic Services Manager, as Deputy Electoral Registration Officer, with the full powers of the Electoral Registration Officer, with immediate effect, and Council agrees:**
- 2. that in the terms of the Representation of the People Act 1983 and all related legislation with immediate effect Shane Flynn be appointed as Electoral Registration Officer and Claire Chaplin be appointed as Deputy Registration Officer for the Council; and in terms of Section 41 of the Local Government Act 1972 and all related legislation with immediate effect Shane Flynn be appointed as Returning Officer for the Council with authority to act in that capacity for elections to the Council and all or any Parish and Town Councils within the Council area;**
- 3. that the Returning Officer and Electoral Registration Officer for the Council be also appointed or authorised to act in respect of all related elector, poll or referendum duties, including in relation to County Council elections, and for national and regional polls or referendums;**

4. that in relation to the duties of Returning Officer or any other electoral, referendum, or polling duties arising from such an appointment, the Returning Officer shall be entitled to be remunerated in accordance with the approved scale of fees for local elections or the relevant scale of fees prescribed by a fees order in respect of national and regional polls or referendums;
5. that in all cases where it is a legal requirement or normal practice to do so, fees paid to the Returning Officer shall be superannuable and the Council shall pay the appropriate employer's contribution to the superannuation fund, recovering such employer's contributions from Central Government or other local authorities or agencies where this can be done;
6. that in relation to the conduct of local authority elections and polls, and elections to the United Kingdom Parliament, and all other electoral duties where the Council is entitled by law to do so, the Council shall take out and maintain in force insurance indemnifying the Council and the Returning Officer including any appointed Deputy Returning Officers against legal expenses reasonably incurred in connection with the defence of any proceedings brought against the Council or the Returning Officer including any appointed Deputy Returning Officers and/or the cost of holding another election in the event of the original election being declared invalid (provided that such proceedings or invalidation are the result of the accidental contravention of the Representation of the People Acts or other legislation governing the electoral process, or accidental breach of any ministerial or other duty by the Returning Officer or any other person employed by or officially acting for him in connection with the election or poll);
7. that in the event of such insurance carrying an 'excess' clause by which an initial portion of risk is not insured, the Council, through its internal insurance fund or otherwise, will indemnify the Returning Officer and any appointed Deputy Returning Officers up to the value of such excess.

**62 Report from the Relevant Committee on Matters which are Referred to Council for Decision**

**Capital and Investment Strategies 2019/20 - 2021/22 – Referral Report from Policy and Resources Committee 5th February 2019**

The Council considered a referral report from the Chairman of the Policy and Resources Committee.

At the meeting on 5<sup>th</sup> February 2019, the Committee considered a report on the Capital Strategy for 2019/20 – 2021/22 and Investment Strategy for 2019/20 – 2021/22 and revised Operational Boundary and Authorised Limit for external debt. The Committee agreed to recommend that the Council adopt the Strategy and revise the Authorised Limit and Operational Boundary for external debt in accordance with the proposals set out in the report.

The Capital Strategy and Investment Strategy are new documents for 2019/20 required under statutory guidance.

It was proposed by Councillor Stephen and seconded by Councillor Gregson and on being put to the vote it was agreed and

**RESOLVED: That the Council agree to:**

- 1. adopt the Capital Strategy and Investment Strategy for 2019/20; and**
- 2. revise the Authorised Limit and Operational Boundary for external debt accordance with the proposals set out in the report.**

**Council Tax - Long Term Empty Homes Premium – Referral Report from Policy and Resources Committee 5th February 2019**

The Council considered a referral report from the Chairman of the Policy and Resources Committee.

At the meeting on 5<sup>th</sup> February 2019, the Committee considered a report on the introduction of a Council Tax premium for properties that have been vacant for two or more years. The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018, which received Royal Assent on 1 November 2018, permits charges to be levied as follows:

- from 2019/20, for properties empty for more than 2 years, the maximum long term empty homes premium is 100%
- from 2020/21, for properties empty for more than 5 years, the maximum long term empty homes premium is 200%
- from 2021/22, for properties empty for more than 10 years, the maximum long term empty homes premium is 300%.

The Committee agreed to recommend that the Council implement the change in respect of those properties that are vacant for two or more years and to defer a decision on charging additional premiums for properties empty for more than five, or more than ten, years while further information is gathered. The Committee also agreed to delegate authority to the Corporate Director - Finance and Resources to make decisions in specific cases.

It was proposed by Councillor Stephen and seconded by Councillor Bayliss and on being put to the vote it was agreed and

**RESOLVED: That the Council agree that from 1 April 2019 properties empty for 2 years or more be charged a Council Tax long term empty homes premium equivalent to 100% of the Council Tax and that the Corporate Director - Finance and Resources be authorised to agree individual exemptions based on government guidance.**

**New Policies Arising from the New Community Lottery - Referral Report from Income Generation Sub-Committee 15th January 2019**

The Council considered a referral report from the Chairman of the Income Generation Sub-Committee.

At the meeting on 15<sup>th</sup> January 2019, the Sub-Committee considered a report on policies that are required for the operation of the Council's new Community Lottery. The relevant policies are:

- a. Children & Vulnerable Persons Protection Policy
- b. Fair and Open Gambling Policy
- c. Protection from Source of Crime and Disorder Policy
- d. Social Responsibility in Gambling Policy
- e. Implementation Procedures Policy

The Sub-Committee agreed to recommend the Council to adopt the policies. Adoption of the policies by the Council is a requirement of the Gambling Commission.

In the ensuing discussion, reference was made to Social Responsibility Policy and the proposed limits in place to ensure individuals cannot buy excessive numbers of tickets. Clarification was sought that it will not be possible to purchase tickets using a credit card. It was proposed by Councillor Knight and seconded by Councillor Agar that the Council agree to delegate authority to Officers to review the wording and take appropriate action, in consultation with the Chairman and Vice-Chairman of the Sub-Committee, to remove any provision for the purchase of tickets by credit card.

It was proposed by Councillor Agar and seconded by Councillor Knight and on being put to the vote it was agreed and

**RESOLVED: That the Council agree to:**

- 1. approve the policies required for the operation of the Council's new Community Lottery, as appended to this report; and**
- 2. delegate authority to Officers to review the wording of the Policies and take appropriate action, in consultation with the Chairman and Vice-Chairman of the Sub-Committee, to remove any provision for the purchase of tickets by credit card.**

**Proposed Budget 2019/20 and Medium Term Financial Plan 2019/20 - 2023/24 – Referral Report from Policy and Resources Committee 5th February 2019**

The Council considered a referral report from the Chairman of the Policy and Resources Committee.

The Leader of the Council proposed the Budget and Council Tax 2019/20 and Medium Term Financial Plan 2019/20 – 2023/24. The Leader informed Members that they were being asked to approve the Budget and Council Tax, including the Treasury Management Strategy Statement 2019/20, Pay Policy Statement 2019/20 and Fees and Charges 2019/20; and the proposed Medium Term Financial Plan 2018/19 – 2023/24, including the Capital Programme and Capital Financing and the Earmarked Reserves Balance.

It was proposed by Councillor Stephen and seconded by Councillor Bayliss and on being put to the vote it was agreed and

**RESOLVED: That Council approve:**

- 1. the proposed Budget and Council Tax for 2018/19 as set out in this report. In particular:-**
  - a. The Budget Requirement for Worcester City Council (excluding Parish Precepts) 2019/20 at £10,579,975;**
  - b. The Council Tax Requirement for Worcester City Council (excluding Parish Precepts) 2019/20 at £5,929,200; and**
  - c. The Band D Council Tax for Worcester City Council (excluding Parish Precepts) at £185.88;**
- 2. the Council Tax Resolution 2019/20 set out at Appendix 8;**
- 3. the proposed Budget for 2019/20 as detailed in the following appendices:**
  - i. the summary budget 2019/20 as set out at Appendix 1;**
  - ii. the detailed Budget 2019/20 as set out in the Budget Book at Appendix 2;**
  - iii. the Treasury Management Strategy Statement 2019/20 as set out in Appendix 3;**
  - iv. the Pay Policy Statement 2019/20 as set out in Appendix 4;**
  - v. the detailed Fees and Charges 2019/20 as set out in Appendix 5 and in Appendix 5a (exempt item);**
- 4. the proposed Medium Term Financial Plan for the next five year period 2018/19 – 2023/24 as detailed in the following appendices:**
  - i. the summary MTFP 2019/20 - 2023/24 as set out in Appendix 1;**
  - ii. the Capital Programme and Capital Financing as set out in Appendix 6;**
  - iii. the Earmarked Reserves balance as set out in Appendix 7.**

**Record of Voting**

<b>For: Councillors</b>	<b>Against: Councillors</b>
<b>Agar, Altaf, A. Amos, B. Amos, Bayliss, Berry, Biggs, Cawthorne, Collins, Cronin, Denham, Denlegh-Maxwell, Ditta, Feeney, Geraghty, Gregson, Griffiths, Hodges, Mrs L. Hodgson, S. Hodgson, Johnson, Jones, Knight, Lamb, Laurensen, Mitchell, Riaz, Roberts, G. Squires, J. Squires, Stafford, Stalker, Stanley, Stephen, Udall</b>	
<b>Total: 35</b>	<b>Total: 0</b>

**63 Report from the Leader of the Council on any matters which he is of the opinion require urgent consideration by The Council**

None.

**64 Items Involving the Disclosure of Exempt Information**

**RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of information as defined in Schedule 12A of the said Act.**

**65 Any Exempt Issues**

None.

**66 Fees and Charges 2019/20 - Exempt**

The Council considered the fees and charges for Trade Waste and Building Control. These fees and charges were not for publication as they contained commercially sensitive information.

**RESOLVED: That the Council approve the Exempt Fees and Charges 2019/20.**

**Duration of the meeting: 7.00p.m. – 8.40p.m.**

Chairman at the meeting on  
26th March 2019