

ANNUAL COUNCIL

16th May 2017

Present: The Mayor, Councillor P. Denham, in the Chair
Councillors Agar, A. Amos, B. Amos, Bayliss, Berry, Biggs, Cawthorne, Cronin, L. Denham, Ditta, Feeney, Geraghty, Gregson, Hodges, Mrs L. Hodgson, S. Hodgson, Johnson, Jones, Knight, Lacey, Lamb, Laurenson, Mackay, Mitchell, Riaz, Roberts, G. Squires, J. Squires, Stafford, Stanley, Stephen, Udall, E. Williams and G. Williams

The Mayor's Chaplain, Reverend Jim Brown, offered prayers to the start of the Council meeting

1 ELECTION OF MAYOR

Nominations were sought for the position of Mayor. It was proposed by Councillor Bayliss and seconded by Councillor Mrs L. Hodgson that Councillor Mackay be nominated for the position of Mayor.

The Mayor asked for further nominations. No further nominations were proposed.

On being put to the vote it was agreed and

RESOLVED: That Councillor Mackay be elected Mayor for the Municipal Year 2017/18.

COUNCILLOR MACKAY IN THE CHAIR

2 MAYOR'S CONSORT/MAYORESS AND PRESENTATION OF BADGE

The Mayor informed the Council that his Mayoress would be Mrs Alison Mackay, and that Mrs Karen Rumsey and Mrs Jenny Mackay would assist her as Consorts. The Mayor presented Mrs Alison Mackay with the Mayoress's Chain.

3 VOTE OF THANKS TO RETIRING MAYOR

Councillor Gregson proposed a vote of thanks to the retiring Mayor, Councillor P. Denham, and paid tribute to his work during his year in office on behalf of the Council. Councillor Bayliss seconded the proposal.

4 PRESENTATION OF PAST MAYOR'S BADGE

The Mayor presented Councillor P. Denham with the Past Mayor's badge.

5 RESPONSE FROM RETIRING MAYOR

Councillor P. Denham thanked the Council and summarised his year in office.

Councillor P. Denham gave thanks to Councillors and Officers who had supported him throughout his year. He also thanked the Past Mayoress, Lynn Denham and his daughter Lucinda, her consort, the former Deputy Mayor, Councillor Mackay, and his Chaplain, Reverend Jim Brown.

6 PRESENTATION OF PAST MAYORESS'S BADGE

The Mayor called on the Past Mayoress, Lynn Denham, to step forward to receive the Past Mayoress's Badge.

7 ELECTION OF DEPUTY MAYOR

Nominations were sought for the position of Deputy Mayor. It was proposed by Councillor L. Denham and seconded by Councillor Cawthorne that Councillor Riaz be nominated for the position of Deputy Mayor.

There were no further nominations. On being put to the vote it was unanimously agreed and

RESOLVED: That Councillor Riaz be elected as Deputy Mayor for the Municipal Year 2017/18.

8 DECLARATIONS OF INTEREST

None.

9 MINUTES

RESOLVED: That the minutes of the meeting held on 28th March 2017 be approved as a correct record and signed by the Mayor.

10 MAYOR'S COMMUNICATIONS

Mayor's Chaplain

The Mayor announced that his Chaplain would be the Reverend Diane Cooksey, the Minister for St Nicholas Church, Warndon Villages.

Mayor's Charities

The Mayor announced that his charities would be Victim Support, Onside Advocacy and Headway.

Mayoral Theme

The Mayor announced that his theme during his year of office will be Valuing Volunteers.

Civic Service

The Mayor invited all Members to the Civic Service on Sunday 18th June 2017.

Mayor's Inaugural Banquet

The Mayor invited all Members to the Inaugural Banquet on Friday 8th September 2017.

Refreshments

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

11 REPORT OF RETURNING OFFICER

The Council received the report of the Returning Officer that summarised the result of the City Council Election for the Bedwardine Ward held on 4th May 2017.

RESOLVED: That the Council note the result of the City Council Election for the Bedwardine Ward held on 4th May 2017.

12 ADOPTION OF NEW CONSTITUTION

The Council considered a report on the adoption of the Council's Constitution following the implementation of the committee model of governance.

At its meeting on 22nd November 2016, Council decided to implement the Committee model of governance with effect from Annual Council in May 2017. The Constitution had been revised and updated to provide a framework for the governance of the Council under the committee model of governance. The Constitution had been divided into 20 sections and was set out in Appendix 1 attached to the report.

It was proposed by Councillor Gregson and seconded by Councillor Stephen that technical amendments be made to the covering report and Part 2 of the Constitution as follows:

1. Recommendation at 1.2 of covering report be deleted.
2. Paragraph 3.2 of the covering report – deletion of the words " and that any changes to Parts 2, 3 or 15 shall require a two-thirds majority of Council" and insertion of the words "for a period of at least 12 months".
3. Part 2 – Articles of the Constitution, Article 14.2(a) delete the words "Changes to Part 2 (Articles), Part 3 (Responsibility for Functions) and Part 15 (Group Leaders' Protocol) shall only be approved by a two-thirds majority of full Council". The deletion of the words "all other parts thereof" in the next sentence.

Councillor Mitchell proposed an amendment to Parts 2, 15 and 19 of the Constitution. The amendments were as follows:

Part 2 Articles of the Constitution - delete article 6 and replace with the following wording:

"6.1 Election of Joint Leader of the Council

The Joint Leader of the Council will be two councillors elected to the position of Joint Leader of the Council. The two councillors elected as Joint Leader of the Council shall not be from the same political group. The Council will elect a Joint Leader of the Council on an annual basis at its Annual meeting.

6.2 Term of Office

The Joint Leader of the Council shall hold office until:

- (a) They resign from office
- (b) They are suspended from being a Councillor
- (c) They are no longer a Councillor
- (d) For one year from the date of election, save that they may be removed from office at an earlier date by resolution of the Council."

Part 15 Group Leaders' Protocol - delete paragraphs 2 and 3 and replace with the following wording:

"2. The Joint Leader of the Council

2.1 The Joint Leader of the Council will be appointed by full Council.

2.2 The two councillors appointed as Joint Leader of the Council shall comprise one member of the Conservative Group and one member of the Labour Group.

2.3 The Joint Leader of the Council shall share responsibility for attendance at the Worcestershire Leaders' Board, the Local Enterprise Partnership and the City Plan Delivery Board."

In paragraph 9 delete all references to Leader and Deputy Leader of the Council and replace with the words "Joint Leader of the Council."

Part 19 Councillors Duties - delete all references to Leader and Deputy Leader of the Council and replace with the words "Joint Leader of the Council."

And delegate to the Monitoring Officer authority to make any further correction to the Constitution to give effect to this amendment.

The amendment was seconded by Councillor Knight.

The proposer, Councillor Mitchell and the seconder, Councillor Knight, both spoke in support of the proposed amendment.

The Council then entered into a debate on the proposed amendment where support and opposition were expressed. On being put to the vote the proposed amendment was lost.

In accordance with the Council Procedure Rule 7.2 a named vote was requested by Councillor Mitchell and supported by four Members.

Record of Voting

For: Councillors	Against: Councillors
A. Amos, B. Amos, Bayliss, Ditta, Feeney, Geraghty, L. Hodgson, S. Hodgson, Johnson, Jones, Knight, Lacey, Mackay, Mitchell, Roberts, Stafford and Stanley	Agar, Berry, Biggs, Cawthorne, Cronin, L. Denham, P. Denham, Gregson, Hodges, Lamb, Laurenson, Riaz, G. Squires, J. Squires, Stephen, Udall. E. Williams and G. Williams
Total: 17	Total: 18

The Council then entered into a debate on the recommendation in the report, as amended, and on being put to the vote it was unanimously agreed and

RESOLVED: That the Council:

1. **adopts the revised Constitution, subject to the amendment of Part 2 which implements the Committee model of governance; and**
2. **delegates authority to the Monitoring Officer to finalise parts 16, 17 and 20 of the Constitution prior to publication.**

13 APPOINTMENT OF LEADER OF THE COUNCIL

Nominations were sought for the position of Leader of the Council. It was proposed by Councillor J. Squires and seconded by Councillor G. Williams that Councillor Gregson be nominated for the position of Leader.

It was also proposed by Councillor Mitchell and seconded by Councillor Stanley that Councillor Bayliss be nominated for the position of Leader of the Council.

There were no further nominations. Members of the Council were asked to vote for either Councillor Gregson or Councillor Bayliss.

In accordance with Council Procedure Rule 7.2 a named vote was requested by Councillor Mitchell and supported by four Members. On being put to the vote the nomination for Councillor Gregson to be elected as Leader of the Council was agreed.

Record of Voting

For: Councillors	Against: Councillors
Agar, Berry, Biggs, Cawthorne, Cronin, L. Denham, P. Denham, Gregson, Hodges, Lamb, Laurenson, Riaz, G. Squires, J. Squires, Stephen, Udall, E. Williams and G. Williams	A. Amos, B. Amos, Bayliss, Ditta, Feeney, Geraghty, L. Hodgson, S. Hodgson, Johnson, Jones, Knight, Lacey, Mackay, Mitchell, Roberts, Stafford and Stanley
Total: 18	Total: 17

The Mayor then requested the Council to vote on the election of Councillor Gregson to the position of Leader of the Council.

In accordance with Council Procedure Rule 7.2 a named vote was requested by Councillor Mitchell and supported by four Members. On being put to the vote it was agreed and

RESOLVED: That Councillor Gregson be elected as Leader of the Council for the Municipal Year 2017/18.

Record of Voting

For: Councillors	Against: Councillors
Agar, Berry, Biggs, Cawthorne, Cronin, L. Denham, P. Denham, Gregson, Hodges, Lamb,	A. Amos, B. Amos, Bayliss, Ditta, Feeney, Geraghty, L. Hodgson, S. Hodgson, Johnson, Jones, Knight,

Laurenson, Riaz, G. Squires, J. Squires, Stephen, Udall, E. Williams and G. Williams	Lacey, Mackay, Mitchell, Roberts, Stafford and Stanley
Total: 18	Total: 17

14 APPOINTMENT OF DEPUTY LEADER

Nominations were sought for the position of Deputy Leader. It was proposed by Councillor Mitchell and seconded by Councillor Stanley that Councillor Bayliss be nominated for the position of Deputy Leader.

There were no further nominations. On being out to the vote it was agreed and

RESOLVED: That Councillor Bayliss be elected as Deputy Leader for the Municipal Year 2017/18.

15 POLITICAL BALANCE ON COMMITTEES AND SUB-COMMITTEES

The Council received the report of the Monitoring Officer seeking Council's approval of the allocation of seats between the political groups for the Municipal Year 2017/18.

RESOLVED: That the Council agree the allocation of seats between political groups for the Municipal Year 2017/18 as set out in Appendix 1 of the minutes.

16 APPOINTMENT OF MEMBERS TO COMMITTEES AND SUB-COMMITTEES APPOINTMENT OF CHAIRS AND VICE-CHAIRS

The Council received details of nominations from Group Leaders for the appointment of Members to Policy Committees, Regulatory Committees and Other Bodies. The Council considered the appointment of Chairmen and Vice-Chairmen to those Committees.

RESOLVED: That the Council approve the appointment of Members to Policy Committees, Regulatory Committees and Other Bodies and the appointment of Chairmen and Vice-Chairmen as set out in Appendix 2 of the minutes.

17 REPORT ON COUNCILLORS' ALLOWANCES PAID 2016/17

In accordance with the Local Authority (Members' Allowances) Regulations, the Council received a report on allowances paid to Members in the financial year 2016/17. An amended report was tabled at the meeting.

RESOLVED: That the Council note the allowances paid to Members in the financial year 2016/17.

18 INDEPENDENT REMUNERATION PANEL RECOMMENDATION FOR MEMBERS' ALLOWANCES

The Council considered a report on Members' Allowances for 2017/18.

In light of the decision to change the Council's governance from the Executive model to the Committee model, it had been necessary to review Members' Allowances and to prepare a new scheme of Members' Allowances at Annual Council. This was recognised as one of the key elements of work that needed to be delivered as part of the transition to the Committee model of governance. As a result there was early engagement with the Independent Remuneration Panel (IRP) to prepare a new scheme of Members' Allowances that could be used for the Committee model.

It had been recognised by the IRP and Group Leaders that the detail of the new roles under the Committee model would not be fully understood until the Committee model had been in operation for some time. In light of this there had been a recommendation from the IRP and a commitment from Group Leaders to undertake a review within the first 12 months.

The report and recommendations of the IRP for 2017/18 were shown in Appendix 1 attached to the report.

In preparing the report the IRP carried out through research and benchmarking. The IRP met on a number of occasions to consider its research, including meeting with Group Leaders.

In summary, the IRP had recommended a 1% increase on the Basic Allowance for 2017/18, which is an increase from £4,250 to £4,300 per annum. The IRP's recommendations for Special Responsibility Allowances were set out in Appendix 2 attached to the report. The IRP had considered Travel Allowances and recommended that for 2017/18 they continue to be paid in accordance with HMRC mileage allowance. The IRP recommended that Subsistence Allowances and the Dependent Carer's Allowances for 2017/18 remained unchanged.

Group Leaders had recognised that the preparation of a new scheme for Members' Allowances had been a difficult exercise for the IRP. Group Leaders had welcomed the opportunity to engage with the IRP. Discussion with Group Leaders had identified differences between the recommendations of the IRP and the views of the Group Leaders. These were highlighted at paragraph 4 of the report.

In addition, it was recommended that the Mayor should receive a separate allowance. This was not part of the IRP's role and was at the discretion of the City Council. In recognition of the significant number of duties that were carried out annually by the Mayor, it was recommended that the Mayor should receive a multiplier of 1.0.

The recommendations were considered to be an appropriate set of allowances to reflect the roles carried out by the Councillors. However, it was also recommended that the allowances were reviewed within 12 months as part of the wider review of the operation of the Committee model of governance.

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. **note the recommendations of the Independent Remuneration Panel for Members' Allowances as set out in Appendix 1;**
2. **adopt the Scheme for Members' Allowances from 16 May 2017 as set out in Appendix 2; and**
3. **agree to undertake a review of Members' Allowances within 12 months.**

19 WORCESTER COMMUNITY INFRASTRUCTURE LEVY (CIL) - ADOPTION OF CIL CHARGING SCHEDULE, REGULATION 123 LIST AND ASSOCIATED CIL POLICIES

The Council considered a report on the Worcester Community Infrastructure Levy (CIL), adoption of the CIL Charging Schedule, Regulation 123 List and associated CIL Policies.

The Worcester CIL Charging Schedule set out the proposed rates of CIL to be charged on different types of new qualifying development in Worcester. Consistent with the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (as amended) it was informed by the following evidence: the South Worcestershire Development Plan 2016 (SWDP); South Worcestershire Infrastructure Delivery Plan; and in a series of development viability assessments by HDH Planning and Development.

The preparation of the CIL Charging Schedules had been undertaken jointly between the South Worcestershire Councils (SWCs), with the support of Worcestershire County Council, in accordance with the above legislation.

The adoption of CIL would be supported by an implementation process, to collect the levy, as well as a governance framework for the expenditure of CIL income and to distribute monies. It was proposed that the South Worcestershire Joint Advisory Panel (JAP) would perform a role in the latter process, and revised JAP Terms of Reference were attached to the report as Appendix 4.

It was proposed by Councillor G. Williams and seconded by Councillor Mitchell and on being put to the vote it was agreed and

RESOLVED: That the Council:

1. **notes the content of the examiner's report on the joint examination of the South Worcestershire CIL Charging Schedules (Appendix 1) and agrees the modifications in the report that are considered necessary to make the Charging Schedules sound;**
2. **adopts the amended CIL Charging Schedule (Appendix 3), as set out in (a) above as the appropriate basis for charging CIL in Worcester;**
3. **adopts the Regulation 123 List and the instalment policy (Appendix 3) alongside the Worcester CIL Charging Schedule in (b);**
4. **agrees that CIL will be implemented from Monday 4 September 2017;**

5. agrees the revised South Worcestershire Joint Advisory Panel Terms of Reference (Appendix 4) relating to CIL expenditure governance arrangements; and
6. delegate authority to the Corporate Director - Place, in consultation with the Chair of the Place and Economic Development Sub-Committee, to undertake the final stages associated with the formal adoption and implementation of CIL, including any minor textual changes to documents in the interest of clarity and accuracy.

20 APPOINTMENT OF INTERIM S.151 OFFICER

The Council received the report of the Managing Director seeking Council's approval to appoint Mark Baldwin as the Interim S.151 Officer with immediate effect.

RESOLVED: That the Council agree the appointment of Mark Baldwin as the Interim S.151 Officer with immediate effect.

21 PROGRAMME OF MEETINGS OF THE COUNCIL

The Council considered the dates for Council meetings for 2017/18.

RESOLVED: That the Council agree the following dates for meetings of the Council until the end of May 2018:-

2017

Wednesday 26th July

Tuesday 21st November

2018

Tuesday 20th February

Tuesday 27th March

Tuesday 15th May (Annual Council)

22 ITEM 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 item of business on the grounds that it involves the likely disclosure of information as defined in Schedule 12A of the said Act.

23 MINUTES (EXEMPT ITEMS)

RESOLVED: That the minutes (exempt item) of the meeting held on 28th March 2017 be approved as a correct record and signed by the Mayor.

Duration of the meeting: 7.00p.m. to 8.55p.m.

Chairman at the meeting on
26th July 2017

**Political Balance on Committees and Sub-Committees 2017-18
Compliant with Political Balance Regulations**

Committee		Overall Allocations (Gateway 2)			Allocations by Committee (Gateway 3)		
					Con Target %	Lab Target %	Green Target %
Title	New Membership	Con	Lab	Green	48.57%	45.71%	5.71%
Policy & Resources	13	6	6	1	46.15%	46.15%	7.69%
Communities	12	6	6	0	50.00%	50.00%	0.00%
Environment	12	6	5	1	50.00%	41.67%	8.33%
Planning	11	5	5	1	45.45%	45.45%	9.09%
Licensing & Environmental Health	10	5	5	0	50.00%	50.00%	0.00%
Audit & Governance	8	4	3	1	50.00%	37.50%	12.50%
Standards	6	3	3	0	50.00%	50.00%	0.00%
Actual Seats	72	35	33	4			
Actual %	100.00%	48.61%	45.83%	5.56%			
Target %	100.00%	48.57%	45.71%	5.71%			
Target Seats	72	35	33	4			

Group	Members	Target
Conservative	17	48.57%
Labour	16	45.71%
Green	2	5.71%

Policy Committees

CONSERVATIVE	LABOUR	GREEN
POLICY & RESOURCES - MEMBERSHIP OF 13		
Councillor Marc Bayliss (Vice-Chair)	Councillor Roger Berry	Councillor Louis Stephen (Chair)
Councillor Simon Geraghty	Councillor Paul Denham	
Councillor Lucy Hodgson	Councillor Adrian Gregson (Vice-Chair)	
Councillor Mike Johnson	Councillor Jo Hodges	
Councillor Roger Knight	Councillor Joy Squires	
Councillor Chris Mitchell	Councillor Geoff Williams	
COMMUNITIES - MEMBERSHIP OF 12		
Councillor Mike Johnson (Chair)	Councillor Roger Berry	
Councillor Alan Amos	Councillor Tracey Biggs	
Councillor Stephen Hodgson	Councillor Chris Cawthorne	
Councillor Steve Mackay	Councillor Lynn Denham (Vice-Chair)	
Councillor Andy Stafford	Councillor Matt Lamb	
Councillor James Stanley	Councillor Elaine Williams	
ENVIRONMENT - MEMBERSHIP OF 12		
Councillor Bill Amos	Councillor Tracey Biggs	Councillor Neil Laurenson
Councillor Allah Ditta	Councillor Paul Denham	
Councillor Alan Feeney (Vice-Chair)	Councillor Jabba Riaz	

Councillor Gareth Jones	Councillor Joy Squires (Chair)	
Councillor Matt Lacey	Councillor Richard Udall	
Councillor Andy Roberts		
PLACE & ECONOMIC SUB – MEMBERSHIP OF 6		
Councillor Marc Bayliss	Councillor Adrian Gregson	
Councillor Simon Geraghty	Councillor Jo Hodges	
Councillor Lucy Hodgson (Chair)	Councillor Geoff Williams (Vice-Chair)	
INCOME GENERATION SUB – MEMBERSHIP OF 6		
Councillor Mike Johnson	Councillor Roger Berry	
Councillor Roger Knight (Vice-Chair)	Councillor Paul Denham (Chair)	
Councillor Chris Mitchell	Councillor Joy Squires	
PERSONNEL AND GENERAL PURPOSES SUB – MEMBERSHIP OF 7		
Councillor Marc Bayliss (Vice-Chair)	Councillor Adrian Gregson (Vice-Chair)	Councillor Louis Stephen (Chair)
Councillor Lucy Hodgson	Councillor Joy Squires	
Councillor Chris Mitchell	Councillor Geoff Williams	

Regulatory Committees

CONSERVATIVE	LABOUR	GREEN
PLANNING - MEMBERSHIP OF 11		
Councillor Alan Amos	Councillor Pat Agar	Councillor Louis Stephen
Councillor Alan Feeney	Councillor Roger Berry	
Councillor Mike Johnson	Councillor Lynn Denham	
Councillor Matt Lacey	Councillor Elaine Williams	
Councillor Chris Mitchell (Chair)	Councillor Geoff Williams (Vice-Chair)	

LICENSING & ENVIRONMENTAL HEALTH – MEMBERSHIP OF 10		
Councillor Allah Ditta (Vice-Chair)	Councillor Chris Cawthorne	
Councillor Lucy Hodgson	Councillor Simon Cronin (Chair)	
Councillor Gareth Jones	Councillor Jo Hodges	
Councillor Roger Knight	Councillor Jabba Riaz	
Councillor Andy Stafford	Councillor Joy Squires	
AUDIT & GOVERNANCE – MEMBERSHIP OF 8		
Councillor Alan Amos (Chair)	Councillor Pat Agar (Vice-Chair)	Councillor Neil Laurenson
Councillor Bill Amos	Councillor George Squires	
Councillor Stephen Hodgson	Councillor Richard Udall	
Councillor Andy Roberts		
STANDARDS – MEMBERSHIP OF 6 (plus up to 3 Co-opted Members and 4 Parish Council Representatives, 2 from each Parish Council)		
Councillor Gareth Jones (Vice-Chair)	Councillor Jo Hodges (Chair)	
Councillor Steve Mackay	Councillor Matt Lamb	
Councillor James Stanley	Councillor George Squires	
Independent Members		
Ray Needham		
Parish Council Representatives		
St. Peter the Great Parish	-	Mr. P. Thorlby
St. Peter the Great Parish	-	Mrs P. Clayton
Warndon Parish	-	Mrs. V. Barrell
Warndon Parish	-	Mrs D. Merriman

Other Bodies

CONSERVATIVE	LABOUR	GREEN
MUSEUM SERVICE JOINT – MEMBERSHIP OF 2		
Councillor Mike Johnson	Councillor Lynn Denham	
WORCESTERSHIRE REGULATORY SERVICES BOARD SHARED SERVICE JOINT – MEMBERSHIP OF 2		
Councillor Alan Feeney	Councillor Joy Squires	