

COUNCIL

21st February 2017

Present: **The Mayor, Councillor P. Denham, in the Chair**

Councillors Agar, Amos, Bayliss, Berry, Biggs, Cawthorne, Cronin, L. Denham, P. Denham, Ditta, Feeney, Geraghty, Gregson, Hodges, Mrs L. Hodgson, S. Hodgson, Johnson, Jones, Knight, Lamb, Laurenson, Mackay, Riaz, Roberts, G. Squires, J. Squires, Stafford, Stanley, Stephen, Udall, Wilkinson, E. Williams and G. Williams

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

69 Apologies for Absence

Apologies were received from Councillors Lacey and Mitchell.

70 Declarations of Interest

The following declarations of interest were made:

Referral Report – Budget and Council Tax 2017/18 - Worcester Consolidated Municipal Charities (Minute 76) – Councillors P. Denham, Feeney, Knight and G. Williams as Council appointed trustees.

71 Minutes

RESOLVED: That the minutes of the meeting held on 22nd November 2016 be approved as a correct record and signed by the Mayor.

72 Mayor's Communications

Jenny-Anne Bowley

The Mayor, other Councillors and members of staff attended the funeral of Jenny-Anne Bowley, a long serving employee of the Council, at the Crematorium on Monday 20th February 2017. The Mayor asked Members to show their respect to Jenny-Anne by standing for a one minute silence.

Visits to the Parlour

The Mayor informed the Council of recent visits to the Parlour by groups of blind and deaf people. A sign language interpreter was provided for the deaf visitors so they could understand what was being said and ask questions. An interest had been expressed by the group in attending one or more of the Council meetings provided an interpreter was in attendance.

Charity Fundraising Events

The Mayor reminded the Council of the forthcoming charity fundraising events to be held at the Guildhall:

24th February 2017 – Charity Auction;
 24th March 2017 – Annual Worcester Concert Brass concert;
 1st April 2017 – Charity Dinner and Casino; and
 25th April – Annual Civic Society Lecture.

The Annual Medical Lecture and a Chinese Charity Banquet were planned, dates yet to be confirmed.

Tribute to Sheena Ramsey - Managing Director

On behalf of the Council the Mayor gave thanks to Sheena Ramsey, Managing Director, for her hard work and commitment to the City of Worcester. The Mayor informed the Council that this was Sheena's last Council Meeting prior to her departure. The Group Leaders also gave thanks to Sheena.

73 Public Participation

None.

74 Questions

None.

75 Notice of Motion

None.

76 Report from the Leader of the Council, Chairman of Relevant Committee or Committee Member on Matters which are Referred to Council for Decision

The Mayor proposed to the Council in accordance with Council Procedure Rule 8 that the following item of business specified in the Agenda take precedence for consideration by the Council.

Budget and Council Tax for 2017/18 and Medium Term Financial Plan 2017/18-2021/22

The Leader of the Council proposed the Budget and Council Tax 2017/18 and Medium Term Financial Plan 2017-18-2021/22.

The Leader informed Members that they were being asked to approve the Budget and Council Tax for 2017/18, Council Tax Resolution 2017/18, the summary budget, the Transformation Savings Plan, the Budget Book, Treasury Management Strategy Statement, the Pay Policy Statement, detailed fees and charges and the amendment to the minimum working balances. Members were also being asked to approve the Medium Term Financial Plan 2017/18-2021/22. This was seconded by the Deputy Leader of the Council who summarised the main headlines as set out in the report.

In accordance with the rules set out in the Constitution, Councillor Bayliss on behalf of the Conservative Group had submitted eight amendments and Councillor Stephen on behalf of the Green Party had submitted three amendments to the budget proposals. The S151 Officer, Monitoring Officer and the Corporate Leadership Team had provided advice and implications on all of the amendments.

The Council considered and debated each amendment individually.

Amendment 1

It is proposed to amend the details on the Leader of the Council's Referral Report on the Council Tax 2017/18 and Medium Term Financial Plan 2017-22 as follows:	Financial implications and funding source:	Advice and implications from (as appropriate): S151 Officer, Monitoring Officer, Corporate Leadership Team
Alternative to Council Tax Rise. – in 2017/18	Funded in Years 17/18 and 18/19 from £80k additional Business Rate income & £70k from car park income. Year 19/20 onwards funded through Income Generation.	<p>The Council Tax rise in 2017/18 is equivalent to £150k p.a. throughout the life of the MTFP.</p> <p>Within the proposed budget the £80k additional Business Rate income has been used to fund the continuation of Discretionary Welfare Assistance Scheme (DWAS). Without this, funding for DWAS will be fully utilised circa Sept 2017.</p> <p>Although car park income continues to exceed budget in 2016/17, the proposal to increase the budget by £70k in 2017/18 and 2018/19 is dependent upon car park income being maintained at current levels.</p> <p>Income generation is dependent upon identifying and implementing projects generating £150k p.a. from 2019/20.</p>

This amendment was proposed by Councillor Bayliss and seconded by Councillor Mrs L. Hodgson. The Council then entered into a debate on the amendment. On being put to the vote the amendment was lost.

Record of Voting

For: Councillors	Against: Councillors
Amos, Bayliss, Ditta, Feeney, Geraghty, Mrs L. Hodgson, S. Hodgson, Johnson, Jones, Knight, Mackay, Roberts, Stafford, Stanley and Wilkinson	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: 15	Total: 18

Amendment 2

It is proposed to amend the details on the Leader of the Council's Referral Report on the Council Tax 2017/18 and Medium Term Financial Plan 2017-22 as follows:	Financial implications and funding source:	Advice and implications from (as appropriate):
Additional funding for dog bins.	£30k. The funding for this would come from predicted underspend.	S151 Officer, Monitoring Officer, Corporate Leadership Team Additional funding would be required in respect of collection and disposal. Director of Commissioning advises this cost is estimated at £10k p.a. for which additional budget savings would need to be identified.

The amendment was proposed by Councillor Stafford and seconded by Councillor Amos. The Council then entered into a debate on the amendment. On being put to the vote the amendment was lost.

Record of Voting

For: Councillors	Against: Councillors
Amos, Bayliss, Ditta, Feeney, Geraghty, Mrs L. Hodgson, S. Hodgson, Johnson, Jones, Knight, Mackay, Roberts, Stafford, Stanley and Wilkinson	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: 15	Total: 18
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Amendment 3

It is proposed to amend the details on the Leader of the Council's Referral Report on the Council Tax 2017/18 and Medium Term Financial Plan 2017-22 as follows:	Financial implications and funding source:	Advice and implications from (as appropriate):
Reverse Cuts in Community Engagement and Strategic Housing of Transformation Plan.	£175k from 2018/19 to be funded from the full year effect of DWAS (£80k) plus increased Business Rates and existing car park revenue.	<p>The Council's proposed budget and MTFP includes the latest projections on Business Rates and therefore this assumes real term growth in Business Rates.</p> <p>Item 1 above already proposes the utilisation of additional car park income. Therefore this increases the risk on the MTFP which assumes no increase in car park charges and therefore is reliant on additional usage of car parks.</p>

The amendment was proposed by Councillor Roberts and seconded by Councillor Feeney. The Council then entered into a debate on the amendment. On being put to the vote the amendment was lost.

Record of Voting

For: Councillors	Against: Councillors
Amos, Bayliss, Ditta, Feeney, Geraghty, Mrs L. Hodgson, S. Hodgson, Johnson, Jones, Knight, Mackay, Roberts, Stafford, Stanley and Wilkinson	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: 15	Total: 18

Amendment 4

It is proposed to amend the details on the Leader of the Council's Referral Report on the Council Tax 2017/18 and Medium Term Financial Plan 2017-22 as follows:	Financial implications and funding source:	Advice and implications from (as appropriate):
Northern Footbridge to link Arboretum and West of the River feasibility study.	£150k. Funding to come from City Plan Fund	S151 Officer, Monitoring Officer, Corporate Leadership Team Cost projections based on similar studies. This would reduce the amount available in 2017/18 for City Plan fund projects.

The amendment was proposed by Councillor Geraghty and seconded by Councillor Knight. In accordance with the rules of debate Councillor Gregson then proposed the following amendment to the amendment:-

"Worcester City Transportation Strategy, as proposed in draft LPT4, to include Northern Footbridge feasibility study".

In accordance with Procedure Rule 11.8 Councillor Bayliss raised a Point of Order that the amendment to the amendment negated the original amendment. The Mayor proposed an adjournment to enable time for the Managing Director and Monitoring Officer to consider the Point of Order. The meeting adjourned at 8.55pm.

Following an adjournment of fifteen minutes the meeting reconvened at 9.10pm.

The Mayor informed the Council that the advice given to him by the Monitoring Officer was that the amendment to the amendment did negate the original amendment. The amendment to the amendment was therefore not allowed.

The Council then entered into a debate on the original amendment. On being put to the vote the amendment was unanimously agreed, and would form part of the substantive motion presented to the Council for the approval of the budget.

Amendment 5

It is proposed to amend the details on the Leader of the Council's Referral Report on the Council Tax 2017/18 and Medium Term Financial Plan 2017-22 as follows:	Financial implications and funding source:	Advice and implications from (as appropriate):
Provision of Electronic Tourist Boards at key points around the City.	£100k. Funded from the £160k planned for Business Rates reserve.	S151 officer has recommended that any surplus on Business Rates be earmarked as a reserve until such time as the South Worcestershire Business Rates Pool reserve reaches the targeted £2m to provide resilience against future appeals. (Note – it is understood that the County Council has approved a similar project).

The amendment was proposed by Councillor S. Hodgson and seconded by Councillor Amos. The Council then entered into a debate on the amendment. On being put to the vote the amendment was lost.

Record of Voting

For: Councillors	Against: Councillors
Amos, Bayliss, Ditta, Feeney, Geraghty, Mrs L. Hodgson, S. Hodgson, Johnson, Jones, Knight, Mackay, Roberts, Stafford, Stanley and Wilkinson	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: 15	Total: 18

Amendment 6

It is proposed to amend the details on the Leader of the Council's Referral Report on the Council Tax 2017/18 and Medium Term Financial Plan 2017-22 as follows:	Financial implications and funding source:	Advice and implications from (as appropriate):
Increased cleaning of arterial routes.	£50k. Funded from reduction of 1 x Head of Service planned new post.	S151 Officer, Monitoring Officer, Corporate Leadership Team The Managing Director advises that the planned new post is fundamental to delivering the transformation savings which form a key part of the MTFP.

The amendment was proposed by Councillor Mrs L. Hodgson and seconded by Councillor Bayliss. The Council then entered into a debate on the amendment. On being put to the vote the amendment was lost.

Record of Voting

For: Councillors	Against: Councillors
Amos, Bayliss, Ditta, Feeney, Geraghty, Mrs L. Hodgson, S. Hodgson, Johnson, Jones, Knight, Mackay, Roberts, Stafford, Stanley and Wilkinson	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: 15	Total: 18

Amendment 7

It is proposed to amend the details on the Leader of the Council's Referral Report on the Council Tax 2017/18 and Medium Term Financial Plan 2017-22 as follows:	Financial implications and funding source:	Advice and implications from (as appropriate):
Investment in manning an Income Generation team for a period of 2	£200k. Funded from the £400k Income generation	S151 Officer, Monitoring Officer, Corporate Leadership Team This would leave £200k uncommitted within the Income Generation Fund.

years.	budget.	
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The amendment was proposed by Councillor Knight and seconded by Councillor Feeney. The Council then entered into a debate on the amendment. On being put to the vote the amendment was lost.

Record of Voting

For: Councillors	Against: Councillors
Amos, Bayliss, Ditta, Feeney, Geraghty, Mrs L. Hodgson, S. Hodgson, Johnson, Jones, Knight, Mackay, Roberts, Stafford, Stanley and Wilkinson	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: 15	Total: 18

Amendment 8

It is proposed to amend the details on the Leader of the Council's Referral Report on the Council Tax 2017/18 and Medium Term Financial Plan 2017-22 as follows:	Financial implications and funding source:	Advice and implications from (as appropriate):
Re-introduction of additional cleans for ALL wards.	£50k. Funded from reduction in budget to Fleet Maintenance.	S151 Officer, Monitoring Officer, Corporate Leadership Team
		The 2017/18 Budget and MTFP is based on the latest projections of fleet costs

The amendment was proposed by Councillor Johnson and seconded by Councillor Roberts. The Council then entered into a debate on the amendment. On being put to the vote the amendment was lost.

Record of Voting

For: Councillors	Against: Councillors
Amos, Bayliss, Ditta, Feeney, Geraghty, Mrs L. Hodgson, S. Hodgson, Johnson, Jones, Knight, Mackay, Roberts, Stafford, Stanley and Wilkinson	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: 15	Total: 18

Amendment 9

It is proposed to amend the details on the Leader of the Council's Referral Report on the Council Tax 2017/18 and Medium Term Financial Plan 2017-22 as follows:	Financial implications and funding source:	Advice and implications from (as appropriate): S151 Officer, Monitoring Officer, Corporate Leadership Team
<p>The city council recognises that all levels of government must play its part in helping to de-carbonise electricity production to help meet our government's Paris Summit commitment to tackle climate change. The city council is also under pressure to find new revenue generating schemes as central government funding is gradually reduced. The city council will set aside £80,000 from the 2017/18 City Plan annual £1 million budget and then after proper investigation to structural, technical and commercial feasibility will implement a solar panel installation on top of St Martin's Gate car park. The scheme will be designed to minimise loss of parking spaces and will offer a number of electric car charging points.</p>	<p>£80,000 from 2017/2018 £1,000,000 annual City Plan Development Fund.</p>	<p>This would reduce the amount available in 2017/18 for City Plan fund projects.</p> <p>If approved, any net additional income arising from the implementation of this scheme would be built in to the MTFP, once the figures are quantified.</p>

The amendment was proposed by Councillor Stephen and seconded by Councillor Knight. The Council then entered into a debate on the amendment. On being put to the vote the amendment was unanimously agreed, and would form part of the substantive motion presented to the Council for the approval of the budget.

Amendment 10

It is proposed to amend the details on the Leader of the Council's Referral Report on the Council Tax 2017/18 and Medium Term Financial Plan 2017-22 as follows:	Financial implications and funding source:	Advice and implications from (as appropriate): S151 Officer, Monitoring Officer, Corporate Leadership Team
The city council recognises that all levels of government must play its part in helping to meet our government's commitment to tackle climate change. The city council is also under pressure to make savings to annual running costs as central government funding is gradually reduced. The city council will set aside up to £10,000 from the 2017/18 City Plan annual £1 million budget to investigate possible invest-to-save options to reduce the energy costs of running The Guildhall.	£10,000 from 2017/2018 £1,000,000 annual City Plan Development Fund.	This would reduce the amount available in 2017/18 for City Plan fund projects.

The amendment was proposed by Councillor Stephen and seconded by Councillor Knight. The Council then entered into a debate on the amendment. On being put to the vote the amendment was unanimously agreed, and would form part of the substantive motion presented to the Council for the approval of the budget.

Amendment 11

It is proposed to amend the details on the Leader of the Council's Referral Report on the Council Tax 2017/18 and Medium Term Financial Plan 2017-22 as follows:	Financial implications and funding source:	Advice and implications from (as appropriate): S151 Officer, Monitoring Officer, Corporate Leadership Team
<p>Air quality is a significant issue to many people living in the centre of Worcester. Diesel vehicles produce particulate matter(PM), microscopic particles, that become trapped in the lungs of people breathing polluted air. In a report produced by the Royal College of Physicians in February 2016 it is asserted that poor air quality causes 40,000 premature deaths a year in the UK.</p> <p>Recent studies in the US have reported that trees can reduce the amount of PM by between 7 and 24%. The City Council will work with County Council in assessing the feasibility of various sites and provide an initial £20,000 fund to pay for a number of trees to be planted in the areas of highest need.</p>	<p>£20,000 from 2017/2018 £1,000,000 annual City Plan Development Fund.</p>	<p>This would reduce the amount available in 2017/18 for City Plan fund projects.</p> <p>There will be an ongoing additional revenue cost to maintain the trees dependent on type and where located.</p>

The amendment was proposed by Councillor Stephen and seconded by Councillor Laurenson. In accordance with the rules of debate Councillor Mrs L. Hodgson then proposed the following amendment to the amendment which was seconded by Councillor Bayliss:-

That the wording 'in the areas of highest need' be deleted so as to avoid confusion over terminology.

The Council then entered into a debate on the amendment to the amendment.

On being put to the vote the amendment to the amendment was agreed, and would form part of the substantive motion presented to the Council for the approval of the budget.

Record of Voting

For: Councillors	Abstentions: Councillors
Agar, Berry, Biggs, Cawthorne, Cronin, L. Denham, P. Denham, Ditta, Geraghty, Gregson, Hodges, Jones, Knight, Lamb, Laurenson, Mackay, G. Squires, J. Squires, Stafford, Stanley, Stephen, Udall, Wilkinson, E. Williams and G. Williams	Amos, Bayliss, Feeney, Mrs L. Hodgson, S. Hodgson, Johnson, Riaz and Roberts
Total: 25	Total: 8

The Council then entered into a debate on the budget as amended where support and opposition was received across the Chamber.

On being put to the vote it was agreed and

RESOLVED: That the Council approve:-

- 1. the proposed Budget and Council Tax for 2017/18 as set out in the report. In particular:-**
 - a. The Budget Requirement for Worcester City Council (excluding Parish Precepts) 2017/18 at £10.504m;**
 - b. The Council Tax Requirement for Worcester City Council (excluding Parish Precepts) 2017/18 at £5.457m; and**
 - c. The Band D Council Tax for Worcester City Council (excluding Parish Precepts) at £175.24.**
- 2. the Council Tax Resolution 2017/18 set out at Appendix 12 of the report;**
- 3. the proposed Budget for 2017/18 as detailed in the following appendices:**
 - i. the summary budget 2017/18 as set out at Appendix 1;**

- ii. the Transformation Savings Plan for 2017/18 as set out in Appendix 2 of the report;
 - iii. the detailed Budget 2017/18 as set out in the Budget Book at Appendix 3 of the report;
 - iv. the Treasury Management Strategy Statement 2017/18 as set out in Appendix 4 and including the proposed extension to the counter-parties list as set out in Appendix 5 of the report;
 - v. the Pay Policy Statement 2017/18 as set out in Appendix 6 of the report;
 - vi. the detailed Fees and Charges 2016/17 as set out in Appendix 7 and in Appendix 7b of the report (exempt item);
 - vii. the amendment to the minimum working balances as set out in Appendix 8 of the report.
4. that Council approve the proposed Medium Term Financial Plan for the next five year period 2017/18 – 2021/22 as detailed in the following appendices:
- i. the summary MTFP 2017/18 - 2021/22 as set out in Appendix 1 as set out in the report;
 - ii. the Transformation Savings plan for 2017/18-2021/22 as set out in Appendix 9 as set out in the report;
 - iii. the Capital Programme and Capital Financing as set out in Appendix 10 as set out in the report; and
 - iv. the Earmarked Reserves utilisation as set out in Appendix 11 as set out in the report.

Record of Voting

For: Councillors	Against: Councillors
Amos, Bayliss, Ditta, Feeney, Geraghty, Mrs L. Hodgson, S. Hodgson, Johnson, Jones, Knight, Mackay, Roberts, Stafford, Stanley and Wilkinson	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: 15	Total: 18

77 Change of Governance Arrangements to the Committee System

The Council considered the report of the Monitoring Officer on the proposed change of governance arrangements to the Committee System.

At its meeting on 22nd November 2016 Full Council resolved to change its governance system from the Cabinet model to the Committee System with effect from Annual Council on 16th May 2017.

The Monitoring Officer was requested by Full Council to work with the three group leaders to draw up by February Council detailed proposals for the operation of the Committee System. The proposed structure of the Committee System was set out at Appendix 1 of the report and an indicative distribution of seats on committees based on the structure was outlined in Appendix 2 of the report.

All three Group Leaders spoke in support of the Committee System. Members then entered into a debate where support and opposition were expressed.

At the conclusion of the debate it was proposed by Councillor Bayliss and seconded by Councillor Stephen and on being put to the vote it was agreed and

RESOLVED: That the Council:

- 1. note the progress that has been made in formulating proposals for the change of governance arrangements to the Committee System;**
- 2. approve the design principles for the Committee System as set out in section 4 of this report; and**
- 3. note the additional work that will be carried out as preparation for the implementation of the Committee System from Annual Council in May 2017.**

78 Report from the Leader of the Council, Chairman of Relevant Committee or Committee Member on Matters which are Referred to Council for Decision

Corporate Governance Scrutiny Review

The Council considered a report on the Corporate Governance Scrutiny Review. The purpose of the review was to provide a better understanding of the effectiveness of the current corporate governance arrangements at Worcester City Council and alternative options available.

The Review Group Members were Councillor Bayliss (Chair of the Panel), Councillor Cawthorne, Councillor Stephen and Councillor Mrs L. Hodgson. The Scrutiny Committee met on 4th January 2017 and considered the report of the review group and agreed the recommendations as set out in the report.

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 agrees to:

- 1. take note of any pertinent results emanating from this review as part of their planning and proposals for new governance arrangements;**

2. **take active steps are identified and taken to facilitate a cultural change which encourages greater cross-party working and member engagement;**
3. **ensure that the provision of information regarding key decision and policy developments is reviewed with the view to ensuring that it is timely, consistent and can support robust scrutiny and decision making. This would include consideration of the use of digital applications for communications to both Members and the public;**
4. **ensure that the allocation of roles, including Chairs and Vice-Chairs and the membership of committees and working/review groups is considered with a view to making these proportionate to the political make-up of the Council;**
5. **ensure that the development of the new governance arrangements ensures that Members have opportunities to undertake scrutiny activities;**
6. **ensure that both Members and officers receive briefings and full training regarding the changes to governance arrangements and ways of working to ensure a smooth transition;**
7. **seek to appoint external assistance to provide advice and support regarding the transition to new governance arrangement and that appropriate resource is made available for this; and**
8. **ensure that any changes made to governance arrangements or ways of working around key policy and decision making is reviewed on a regular basis to ensure they implemented and working effectively.**

Interim Statutory Appointment of Head of Paid Service

The Council considered a report on the interim statutory appointment of Head of Paid Service.

At its meeting on 25th January 2017 the Personnel and General Purposes Committee agreed to recommend to Full Council approval of the interim statutory appointment following the departure of the current Managing Director.

In accordance with the Council's Constitution the appointment of Head of Paid Service was reserved to Full Council on the recommendation of the Personnel and General Purposes Committee.

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

RESOLVED: That the Council approve the appointment of David Blake, Corporate Director – Place as Head of Paid Service on an interim basis from 27th February 2017.

Interim Statutory Appointment of Returning Officer and Electoral Registration Officer

The Council considered a report on the interim statutory appointment of the Returning Officer and Electoral Registration Officer.

At its meeting on 25th January 2017 the Personnel and General Purposes Committee agreed to recommend to Full Council approval of the interim statutory appointment following the departure of the current Managing Director.

The Constitution requires the Council to appoint an officer to the statutory posts of Returning Officer and Electoral Registration Officer.

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

RESOLVED: That the Council:

- 1. approve the appointment of Tim O’Gara, Deputy Director – Governance as Returning Officer and Electoral Registration Officer on an interim basis from 27th February 2017, and the Council agrees:**
- 2. in terms of the Representation of the People Act 1983 and all related legislation appoint Tim O’Gara with effect from 27th February 2017 as Electoral Registration Officer for the Council; and in terms of Section 41 of the Local Government Act 1972 and all related legislation appoint Tim O’Gara with effect from 27th February 2017 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. ensures 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, elections to the European Parliament and for national and regional polls or referendums;**
- 4. ensures 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, regional, or European Parliament elections, polls or referendums;**
- 5. ensures 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. **ensures 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); and**
7. **ensures 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.**

Appointment of External Auditors

The Council considered a referral report from the Chairman of Audit and Governance Committee on the appointment of external auditors.

At its meeting on 8th December 2016 the Audit and Governance Committee considered whether the City Council should opt in to the appointed person regime or undertake their own procurement.

The Committee agreed to opt in to the appointing person arrangements made by the Public Sector Audit Appointments (PSAA) for the appointment of external auditors. This would produce better outcomes for the Council than any procurement the Council undertook itself or with a limited number of partners. Use of the PSAA would be less resource intensive than establishing an auditor panel and conducting the procurement.

It was proposed by Councillor Amos and seconded by Councillor G. Squires and on being put to the vote it was unanimously agreed and

RESOLVED: That the Council agrees that Worcester City Council opts in to the appointing persons arrangements made by the Public Sector Audit Appointments (PSAA) for the appointment of external auditors.

Accounts Panel

The Council considered a referral report form the Chairman of Audit and Governance Committee on the Accounts Panel.

At its meeting on 16th September 2016 the Audit and Governance Committee asked for clarification about the role of the Accounts Panel and its accountability to the Council. At its meeting on 8th December 2016 the Committee proposed that the Accounts Panel be abolished at the end of the 2016/17 Municipal year and that their functions be incorporated within the functions of the Audit and Governance Committee from 2017/18 Municipal year onwards.

It was proposed by Councillor Amos and seconded by Councillor G. Squires and on being put to the vote it was unanimously agreed and

RESOLVED: That the Council:

- 1. agree to abolish the Accounts Panel at the end of the 2016/17 Municipal year; and**
- 2. agree that the functions of the Accounts Panel are incorporated into the functions of the Audit and Governance Committee from the 2017/18 Municipal year onwards.**

79 Report from the Leader of the Council of Decisions Taken by Cabinet

The item was deferred until the next meeting of the Council.

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

This item was deferred until the next meeting of the Council.

81 Reports from Overview and Scrutiny Committees

This item was deferred until the next meeting of the Council.

82 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.

83 Fees and Charges 2017/18 - Exempt Items

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

The item was not discussed in any detail. The item formed part of the overall consideration of the Budget 2017/18 in the open part of the meeting.

84 Report from the Leader of the Council of Exempt Decisions Taken by Cabinet

This item was deferred until the next meeting of the Council.

Duration of the meeting: 7.00p.m. – 11.25p.m.

Chairman at the meeting on
28th March 2017