

**MINUTES OF THE ANNUAL COUNCIL MEETING
HELD WEDNESDAY 23 MAY 2016
COUNCIL CHAMBER, TOWN HALL, PETERBOROUGH**

THE MAYOR – COUNCILLOR DAVID SANDERS

Present:

Councillors Aitken, Allen, Ali, Ash, Ayres, Barkham, Bisby, Bond, Brown, Bull, Casey, Cereste, Clark, Coles, Davidson, Dowson, Ellis, Elsey, Ferris, Fitzgerald, Fower, JR Fox, JA Fox, Fuller, Goodwin, Harper, Hiller, Holdich, Hussain, Amjad Iqbal, Azher Iqbal, Jamil, Johnson, Khan, King, Lamb, Lane, Lillis, Martin, Murphy, Nadeem, Nawaz, Okonkowski, Over, Peach, Rush, Saltmarsh, Sanders, Sandford, Seaton, Serluca, Shaheed, Sharp, Shearman, Sims, Smith, Stokes, Sylvester, Walsh and Whitby.

1. Apologies for Absence

There were no apologies for absence.

2. Declarations of Interest

There were no declarations of interest.

3. Minutes of the Meetings held on:

(a) 9 March 2016

The minutes of the meeting held on 9 March 2016 were approved as a true and accurate record.

(b) 13 April 2016 (Extraordinary Meeting)

The minutes of the Extraordinary Meeting held on 13 April 2016 were approved as a true and accurate record.

4. Mayor's Announcements

Members noted the report outlining the Mayor's engagements for the period commencing 10 March 2016 to 23 May 2016.

There were no further announcements from the Mayor.

5. Chief Executive's Announcements

There were no announcements from the Chief Executive.

6. Report of the Returning Officer

Members received and noted a report which detailed the results of the Local Elections held on Thursday 5 May 2016.

7. Political Groups and Group Officers 2016 / 2017

The membership of Political Groups and their Officers for the Municipal Year 2016 / 2017 were noted and agreed subject to the following amendments:

- Addition of Councillor Richard Ferris as the Labour Group Secretary;
- Addition of Councillor Jo Johnson as the Labour Whip; and
- Removal of the position of Whip from UKIP.

8. Appointment of the Executive and Leader's Scheme of Delegations

Councillor Holdich addressed the meeting and moved the recommendations as detailed within the report and presented his Scheme of Delegations advising that he would be retaining responsibility for 'Education, Skills, University and Communications'. Councillor Holdich further named his Cabinet Members and advisors, their responsibilities and key areas to be addressed in the city during the year ahead, these included:

- i. Councillor Gavin Elsey, Cabinet Member for Waste and Street Scene;
- ii. Councillor Wayne Fitzgerald, Deputy Leader and Cabinet Member for Integrated Adult Social Care and Health;
- iii. Councillor Janet Goodwin, Cabinet Member for City Centre Management, Culture & Tourism;
- iv. Councillor Peter Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development;
- v. Councillor Diane Lamb, Cabinet Member for Public Health;
- vi. Councillor David Seaton, Cabinet Member for Resources;
- vii. Councillor Sam Smith, Cabinet Member for Children's Services;
- viii. Councillor Irene Walsh, Cabinet Member for Communities and Environment Capital;
- ix. Councillor Graham Casey, Cabinet Advisor to the Cabinet Member for City Centre Management, Culture & Tourism (Culture & Recreation); and
- x. Councillor June Stokes, Cabinet Advisor for Children's Safeguarding and Education.

Councillor Fitzgerald seconded the recommendations and reserved his right to speak.

The Mayor invited Group Leaders and Members to comment on Councillor Holdich's proposals. In summary, key points raised included:

- Support in relation to education being a priority for the city;
- Acknowledgement that academy status would not automatically make a school successful;
- The welcome news that school term times were to be examined;
- The importance of ensuring that there was sufficient affordable and social housing in the city;
- The importance of obtaining university status for Peterborough City College;
- Ensuring the quality of jobs coming into the area was maintained and ensuring that the right types of incentives were offered to businesses coming into the city;
- Support in relation to the focus on fly tipping across the city. More prosecutions needed to be brought forward and exploration needed to be undertaken into the reinstatement of community skips;
- The welcome news that the cross party budget working group would be retained;
- Disappointment that there had been no remarks about the city's aspirations to become environment capital and the various issues behind that, such as falling rates of recycling;

- The response to the refugee crisis in Syria not being acceptable, with the proposals to only take 20 people a year over a five year period;
- The Council needed to be opened up to greater public scrutiny and to release more information into the public domain;
- Issues faced in relation to finding affordable rental properties and how the right to buy had made this situation worse;
- The need for strong and constructive opposition going forward, and the need to work together in order to achieve much more balanced outcomes;
- The need for the Council to work closely with the Police Crime Commissioner in order to deal with low level crime, such as fly tipping, speeding and verge parking;
- The number of Cabinet Members and Advisors, which was still to the maximum for the authority size and the costs that these positions incurred;
- The need for a bulky waste system and implementation of practical measures by contractors, for example to enable removal of all rubbish during a clean-up visit, rather than only removing the bulky waste;
- The need to tackle the issue of rogue landlords in the city; and
- The issue of verge parking across the city.

Councillor Fitzgerald exercised his right to speak as seconder of the recommendations and responded to the comments raised relating to Cabinet Members allowance payments. He further stated that the Council was financially well managed and that waste issues did need addressing, particularly the issues of street cleansing and bulky waste.

Councillor Holdich summed up and responded to a number of points raised, including the issue of schools becoming academies and the situation regarding the city taking Syrian refugees going forward.

Following debate it was **AGREED**:

- a) To note that the appointment of the current leader of the Council expires in 2018;
- b) To note the appointment of the Cabinet and the Leader's Scheme of Delegation to Cabinet Members and Officers; and
- c) To amend the Constitution to include the Leader's Scheme of Delegation to Cabinet Members and Officers.

9. Committee Structures, Delegations and Allocations

Councillor Holdich addressed the meeting and moved alternative recommendations as detailed within a supplementary information pack which had been presented to Council. He advised that the current Scrutiny Committee arrangements would be retained with five Scrutiny Committees. At the current time it was not proposed to move to the new hybrid model of governance which had been agreed in January 2016. There had been a number of concerns raised in relation to the proposed decrease in the number of Scrutiny Committees and it was believed that three Committees would not be adequate to carry out the Council's Scrutiny function.

Councillor Holdich further advised that, so as not to lose the work of the Alternative Governance Working Group in its entirety, it was proposed to set up a proportionate cross party working group to review the Committee structure and to consider what parts of the hybrid model should be retained. Members were advised that the terms of reference for this proposed Group were included within the supplementary pack for information.

Councillor Fitzgerald seconded the recommendations and reserved his right to speak.

Councillor Sandford moved an amendment to the recommendations requesting that the Council move to a Committee System, which it was believed was the most democratic and inclusive option of governance, involving all Councillors in the decision making process and removing any element of secrecy.

The amendment was seconded by Councillor Fower who stated that the amendment was a common sense proposal. All Councillors represented the people of Peterborough and a committee system would advocate greater democracy.

Members were invited to comment on the amendment and during debate, the following key points were raised:

- The Committee System was not a popular method of democracy between other Members and it had been discussed on a number of occasions;
- The Alternative Governance Cross Party Working Group had discussed the topic of a Committee System on a number of occasions, however this had not been considered the most appropriate system for Peterborough;
- The amendments proposed by the Leader were democratic, accountable and workable, a Committee system would be very onerous and would be damaging to the expedient decision making of the Council;
- The Alternative Governance Working Group Members had highlighted concerns about a three Scrutiny system and the proposals to put the hybrid model on hold in order to conduct further review were welcomed;
- A hybrid system was still welcomed, with further review, for implementation in 2017;
- There was concern expressed that the Alternative Governance arrangements approved at Council in January 2016 were now not being taken forward. The role of Council in the decision making process was questioned;
- A Committee System would allow for more people to be involved in the decision making process and would enable the people of Peterborough to see how decisions were made;
- There was disillusionment at Members taking part in any working group, only to have their decisions quashed;
- Preference had been expressed for a hybrid system, particularly following a number of visits to other local authorities and discussions around the work required to implement a committee system; and
- There was a need for the public to be involved to a greater degree and the requirement for a more accountable system of governance.

Councillor Holdich exercised his right of reply as mover of the original recommendations and stated that the Cabinet Meeting was open to the public and Cabinet Member decisions could also be inspected by the public. There were parts of the hybrid model that were acceptable, however the three Scrutiny Committee element was not and therefore further exploration needed to be undertaken.

A vote was taken (24 For, 35 Against) and the amendment was **DEFEATED**.

Members debated the original recommendations and comments were raised urging Members to vote against the proposals, which appeared confusing and made no sense.

A vote was taken on the alternative recommendations as proposed by Councillor Holdich (35 For, 23 Against, 2 Abstentions) and it was **AGREED**:

a) To retain the following five Scrutiny Committees:

- (i) Scrutiny Commission for Rural Communities
 - (ii) Scrutiny Commission for Health Issues
 - (iii) Strong and Supportive Communities Scrutiny Committee
 - (vi) Creating Opportunities and Tackling Inequalities Scrutiny Committee
 - (v) Sustainable Growth and Environment Capital Scrutiny Committee
- b) To appoint to the Committees as listed in the Constitution prior to the amendments made by Council on 27 January 2016 for the Municipal Year 2016 /17.
 - c) That in accordance with Schedule 2 of the Localism Act 2011, to retain the Leader Cabinet model of constitutional arrangements without a hybrid element to take immediate effect.
 - d) That in accordance with paragraph 9KC Schedule 2 of the Localism Act 2011 the Council's resolution be published in one or more newspapers circulating in the area.
 - e) That the Council set up a proportionally balanced cross-party working group to conduct a review of the Council's scrutiny committee arrangements and report the results to a future meeting.
 - f) That the amendments made by Council to the following section of the Constitution on 27 January 2016 be suspended, and should be subject to the review in recommendation (e) above:
 - (i) Overview and Scrutiny Article 7 (Part 2: Section 7)
 - (ii) Overview and Scrutiny Functions (Part 3: Section 4)
 - (iii) Scrutiny Committee Procedure Rules (Part 4: Section 8)
 - g) That the Council accepts the terms of reference of Committees as set out in the 2015/16 Constitution, prior to the amendments made by Council on 27 January 2016.

10. Political Balance, Allocation of Committee Seats and Committee Appointments

Councillor Holdich addressed the meeting and moved alternative recommendations as detailed within a supplementary information pack which had been presented to Council. He advised that it was proposed to increase the larger Committees to 11 seats, which it was felt, would better reflect the political balance of the Council. It was further moved that the Audit Committee and the Planning Review Committee not be exempted from the political balance rules.

Councillor Fitzgerald seconded the recommendations and reserved his right to speak.

A vote was taken (unanimous) and it was **AGREED:**

- a) That the Council increase the number of seats on Committees of 10 to 11 seats;
- b) That the Council does not exempt the Audit Committee and the Planning Review Committee from the political balance seat arrangements;
- c) That the allocation of seats on Committees of the Council, subject to political balance seat arrangements be agreed as follows:

Committee	Seats
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Scrutiny Commission for Rural Communities	7
Scrutiny Commission for Health Issues	7
Strong and Supportive Communities Scrutiny Committee	7
Creating Opportunities and Tackling Inequalities Scrutiny Committee	7
Sustainable Growth and Environment Capital Scrutiny Committee	11
Employment Committee	7
Audit Committee	7
Licensing Committee (Regulatory)	11
Planning and Environmental Protection Committee	11
Planning Review Committee	11
Appeals Committee (Service Issues)	11
TOTAL	97

d) The allocation of seats on Committees to be appointed to by the Council, not subject to political balance seat arrangements be agreed.

11. Appointments of Committee and Other Bodies

Councillor Holdich addressed the meeting and moved the recommendations as detailed within the report along with the Committee Membership list, which highlighted the proposed Chairs and Vice Chairs, and was contained within the supplementary document pack as presented to Council.

Councillor Fitzgerald seconded the recommendations and reserved his right to speak.

Councillor Fower moved an amendment to the recommendations which requested that all Scrutiny Committee Chairman should be appointed from amongst the minority group members. This had been the case in the previous year and it was felt that this would make for a fairer scrutiny system and would ensure that Scrutiny was not used as a political tool.

Councillor Davidson seconded the amendment and reserved her right to speak.

Members were invited to comment on the amendment and during debate, the following key points were raised:

- Opposition members chairing scrutiny committees sent a positive message to the people of Peterborough; and
- It should be the best person sitting on the committee who was appointed as Chair regardless of being an opposition member or not.

Councillor Davidson exercised her right to speak as seconder of the amendment and stated that an audit of the Council had been undertaken by PricewaterhouseCoopers ten years ago which had recommended that some of the Committees should be chaired by opposition members, this would give greater opportunity for Members to ask questions and challenge the controlling party group. The previous year had seen opposition Chairmen and this had proven to be a great success.

Councillor Holdich exercised his right of reply as mover of the original recommendations and stated that giving the chairmanships to opposition members the previous year had not been completely successful for a number of reasons.

A vote was taken (26 For, 31 Against, 2 Abstentions) and the amendment was

DEFEATED.

A vote was taken on the recommendations as proposed by Councillor Holdich (31 For, 25 Against, 3 Abstentions) and it was **AGREED**:

- a) That where the allocation of the seats on committees and other bodies has been determined under Agenda Item 10, the Council agrees the appointments to those Committees;
- b) That the Chair and Vice-Chair of each of the Council's Committees is appointed;
- c) That the non-elected membership of committees, as described at paragraphs 4.1 to 4.6 of the report is confirmed;
- d) That the Council confirm the non-executive appointments to outside organisations; and
- e) That in respect of any other appointments to be made, Council authorises the Monitoring Officer as Proper Officer to carry out the wishes of the Leaders of the Political Groups in allocating members to committees or outside bodies, and appoints those Members with effect from the date at which the Proper Officer is advised of the names of such Members.

12. Calendar of Meetings 2016 / 2017

The Mayor advised that, in light of earlier decisions taken, Council was requested to approve the revised calendar of meetings for 2016/17 as outlined within the supplementary document pack.

A vote was taken (unanimous) and it was **RESOLVED** that Council note the programme of meetings for 2016/17.

13. Members' Allowances Scheme

Councillor Seaton addressed the meeting and moved the recommendations as detailed within the report, which requested that the Members' Allowances Scheme be approved subject to the Independent Members' Allowances Panel meeting to consider the scheme and a report being presented to Council later in the year. This was seconded by Councillor Holdich.

Members commented that a system of allowances should be devised to reflect the turn out rate at election for Members.

A vote was taken (unanimous) and it was **RESOLVED** that Council note the programme of meetings for 2016/17.

The Mayor
7.45pm – 9.35pm