

**RECORD OF OUTCOMES OF THE ANNUAL COUNCIL MEETING
HELD MONDAY 21 MAY 2018
COUNCIL CHAMBER, TOWN HALL, PETERBOROUGH**

THE MAYOR – COUNCILLOR ASH

Present:

Councillors Aitken, Ali, Allen, Ash, Ayres, Barkham, Bashir, Bisby, Bond, Brown, Bull, Casey, Cereste, Coles, Dowson, Ellis, Farooq, Ferris, Fitzgerald, Fuller, John Fox, Judy Fox, Fower, Goodwin, Harper, Hemraj, Hiller, Hogg, Holdich, Howell, Hussain, Amjad Iqbal, Azher Iqbal, Jamil, Jones, Joseph, King, Lane, Lillis, Mahabadi, Martin, Murphy, Nadeem, Gul Nawaz, Shaz Nawaz, Over, Rush, Saltmarsh, Sandford, Seaton, Serluca, Shaheed, Simons, Smith, Stokes, Warren, Walsh, and Whitby

5. Apologies for Absence

Apologies for absence were received from Councillor Davidson.

6. Declarations of Interest

There were no declarations of interest received.

7. Minutes of the Meeting Held on 7 March 2018

The minutes of the meeting held on 7 March 2018 were approved as a true and accurate record.

8. Mayor's Announcements

There were no announcements from the Mayor.

9. Additional Report - Report of the Returning Officer

The Mayor agreed to take this report as an additional item, due to the requirement set out in the Council's Standing Orders to consider the report of the Returning Officer at the Annual Council meeting.

A vote was taken (unanimous) and it was **RESOLVED** that the Council noted the results of the Local Elections held on Thursday 3 May 2018 (**Appendix 1** to the report).

10. Political Groups and Group Officers 2018 / 2019

A vote was taken (unanimous) and it was **RESOLVED** that the Council noted the membership of political groups (**Appendix 1** to the report) and their officers for 2018 / 2019 (**Appendix 2** to the report).

11. Appointment of the Executive and the Leader's Scheme of Delegation

A vote was taken (unanimous) and it was **RESOLVED** that the Council:

1. Noted the decision of Full Council on 15 May 2015 'to elect Councillor John Holdich as Leader of the Council for a period of four years'.

Councillor Holdich reflected on the successes of last year and named his cabinet members and advisors for the year ahead. He outlined their responsibilities and the key areas addressed in the previous year. These included:

- Councillor Wayne Fitzgerald – Deputy Leader and Cabinet Member for Integrated Adult Social Care and Health
- Councillor Diane Lamb – Cabinet Member for Public Health
- Councillor Marco Cereste – Cabinet Member for Waste and Street Scene
- Councillor Sam Smith – Cabinet Member for Children's Services
- Councillor Lynne Ayres – Cabinet Member for Education, Skills and University
- Councillor David Seaton – Cabinet Member for Resources
- Councillor Peter Hiller – Cabinet Member for Growth, Planning, Housing and Economic Development
- Councillor Irene Walsh – Cabinet Member for Communities
- Councillor Steve Allen – Cabinet Adviser to the Leader
- Councillor Howard Fuller – Cabinet Adviser for Commercial Strategy and Investments

Councillor Holdich proposed that the relevant scrutiny group set up a task and finish group to look into waste policy and fly tipping under the leadership of the Cabinet Member for Waste and Street Scene. It was also proposed to investigate the setting up of a local company to supply these services to the residents of Peterborough.

Councillor Holdich further advised that the Cabinet Adviser for Commercial Strategy and Investments set up a small cross party working group to create a new commercial and investment strategy. The Cabinet Member for Growth, Planning, Housing and Economic Development would set up a working group to investigate if planning policies were robust enough to ensure good air quality.

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:

- It was requested that Members worked together and showed due respect for one another to drive up standards of Member behaviour.
- It was expected that local trade and small businesses would be the focus for the forthcoming year.
- In anticipation of the building of a university in the area, it was considered that this would provide the skills to serve Peterborough in the years to come.
- The Labour Group Leader advised that a Shadow Cabinet had been established including a specific post with responsibility for the university.
- It was noted that the proposed Cabinet membership was near the maximum number allowed under statute.
- Members expressed their approval at the consideration of waste services returning to the Council and expressed a wish that this was reflected in local communities as fly tipping continued to be a major issue.
- Members agreed that attention should be given to the problem of rough sleepers.
- It was felt that in the past focus had been provided on the city centre rather than residential areas and the delivery of basic services to local people.
- Members were happy to focus on the issues of air quality.

- It was noted that the Health Budget had been cut by 80%.
- Members highlighted that there was a perception of high levels of drug dealing and anti-social behaviour on the streets and it was felt that people needed to be assured of their safety with Police and Prevention and Enforcement Service officers being more evident in both city centre and the outlying districts.

Councillor Fitzgerald exercised his right to speak as seconder of the recommendations. In so doing he endorsed the comments previously made and reinforced that much was already being done on the issues raised. Councillor Fitzgerald felt that the Labour Groups participation in the budget working group process was lacking and that the university was a Conservative initiative. He acknowledged comments made by the Group Leaders and asked that any ideas to solve the city's issues could be put forward. Councillor Fitzgerald reminded Members that they were all here to serve the public to the best of abilities.

Councillor Holdich summed up and advised that the Council was operating in difficult times. He welcomed ideas to work collaboratively to save money and allow spending on items the local residents wanted. In response to comments made regarding behaviour Councillor Holdich had proposed the formation of a Constitution and Ethics Committee to consider Member conduct. It was advised that much had been done to retain business within local companies within the scope of the terms in which the council can operate and this will continue. In relation to fly tipping, several patterns had been noticed that could be addressed and new technology was being considered for the new recycling facilities to make the recycling centres easier for everyone to use.

Following a number of technical difficulties experienced with the electronic voting system. The Mayor suggested that this be raised at the Group Leaders meeting.

A vote was taken (44 in favour, 8 against, 1 abstaining, and 2 no votes) and it was **RESOLVED** that the Council:

2. Noted the appointment of the Cabinet and the Leader's Scheme of Delegation to Cabinet Members and officers (**Appendix 1** and **Appendix 2** to the report).
3. Noted that the Constitution would be updated to include the Leader's Scheme of Delegation to Cabinet Members and officers (**Appendix 1** and **Appendix 2** to the report).

12. Committee Structures 2018 / 2019

Councillor Holdich moved the recommendations as detailed within the report and in so doing explained that the key change was the addition of the Constitution and Ethics Committee. This would comprise seven Members, politically proportioned and would be responsible for changes to the constitution together with standards and complaints against Members.

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

Members debated the recommendations. In summary, key points raised included:

- Members expressed their support for the additional committee and advised that they hoped there would not be additional costs incurred in the form of Special Responsibility Allowance for the Chair.
- It was noted that the Children and Education Scrutiny Committee had no representative from the Muslim faith and Councillor Holdich agreed to take this suggestion forward.

Councillor Fitzgerald exercised his right to speak as seconder of the recommendations and endorsed his support for the new committee.

Councillor Holdich summed up and advised that there were no additional costs associated with the Constitutional and Ethics Committee.

A vote was taken (unanimous) and it was **RESOLVED** that the Council:

1. Appointed the following Committees for the 2018/2019 municipal year:

Ordinary Committees subject to political balance seat allocations:

Growth, Environment and Resources Scrutiny Committee
Adults and Communities Scrutiny Committee
Health Scrutiny Committee
Children and Education Scrutiny Committee
Employment Committee
Licensing Committee (Regulatory)
Planning and Environmental Protection Committee
Appeals and Planning Review Committee
Audit Committee
Corporate Parenting Committee
Constitution and Ethics Committee

Other bodies to which Section 15 LGHA does not apply

Health and Wellbeing Board
Licensing Committee (Licensing Act 2003)

2. Agreed the committee terms of reference set out in the Regulatory Committee Functions and the Overview and Scrutiny Functions (**Appendix 1** and **Appendix 2** to the report).

13. Political Balance and Allocation of Committee Seats

Councillor Holdich moved the recommendations and in so doing advised that the political balance for all committees had been agreed by Group Leaders as included in the additional information pack.

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

Members debated the recommendations and noted that the selection of committee members remained within the law.

Councillor Fitzgerald exercised his right to speak as seconder of the recommendations and suggested that if Members had concerns over the legalities they take it up with the Legal Team after the meeting.

A vote was taken (unanimous) and it was **RESOLVED** that the Council:

1. Noted that there were 109 seats on committees.
2. Agreed the allocation of seats on those committee subject to political balance arrangements (**Appendix 1** to the report).
3. Agreed the allocation of seats on those committees not subject to political balance arrangements (**Appendix 2** to the report).

14. **Appointments to Committees**

Councillor Holdich moved the recommendations as set out in the report and advised that all appointments had been proposed by Group Leaders.

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

Members debated the recommendations and asked if the vacancies still existed for the two Parent Governor Representative Roles for the Education Co-opted Members and what measures had been taken to invite School Governors to apply.

Councillor Fitzgerald exercised his right to speak as seconder of the recommendations and suggested that any concerns over Parent Governor Representative Roles be discussed with Councillor Ayres outside of the meeting.

Councillor Holdich summed up by endorsing the comments made by Councillor Fitzgerald.

A vote was taken (unanimous) and it was **RESOLVED** that the Council:

1. Agreed the appointments to those committees where the allocation of seats had been determined under Agenda Item 9 'Political Balance and Allocation of Committee Seats (**Appendix 1** to the report).
2. Appointed the Chair and Vice-Chair of each of the Council's committees (**Appendix 1** to the report).
3. Confirmed the non-elected membership of committees, as described at paragraphs 4.1 to 4.7 of the report.
4. Authorised the Monitoring Officer as Proper Officer, in respect of any other appointments to be made, to carry out the wishes of the Leaders of Political Groups in allocating Members to committee, and to appoint those Members with effect from the date at which the Proper Officer is advised of the names of such Members.

15. **Appointments and Nominations to Other Authorities and Outside Bodies**

Councillor Holdich moved the recommendations and in so doing advised that the appointments and nominations to other authorities and outside bodies was an executive function and would therefore be determined by him as Leader in due course.

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

Members debated the recommendations. In summary, key points raised included:

- It was queried what process was followed when disputes arose relating to nominations to outside bodies, as the constitution provided for two conflicting routes.
- It was further suggested that this matter be highlighted to the new Constitution and Ethics Committee.
- The Legal Officer confirmed that officers were aware of the discrepancy in the constitution and the matter would be added to the Constitutional and Ethics Committee agenda.

A vote was taken (unanimous) and it was **RESOLVED** that the Council:

1. Made the following appointments or nominations for the 2018 / 2019 municipal year:
 - (a) Appoint the Leader of the Council to act as the Council's appointee to the Cambridgeshire and Peterborough Combined Authority and one substitute member (**Appendix 3** to the report).
 - (b) Nominate two members to the Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee, and two substitute members from the same political parties as those nominated (**Appendix 3** to the report).
 - (c) Nominate one member Cambridgeshire and Peterborough Combined Authority Audit and Governance Committee and one substitute member from the same political party (**Appendix 3** to the report).
 - (d) Appoint three members to the Police and Crime Panel and three substitute members from the same political parties as those appointed (**Appendix 3** to the report).
 - (e) Appoint four members to the Fire Authority and four substitute members from the same political parties as those appointed (**Appendix 3** to the report).
2. Authorised the Monitoring Officer as Proper Officer, in respect of any other appointments or nominations to be made, to carry out the wishes of the Leaders of the Political Groups in allocating Members to other authorities and appoints those members with effect from the date at which the Proper Officer is advised of the names of such Members.

16. Executive and Committee Recommendations to Council

(i) Cabinet Recommendation – Report of the Task and Finish Group to Assist the Development of a New Homelessness Strategy

Councillor Hiller moved the recommendations and in so doing advised that there had been an escalation in homelessness presentations. Going forward the emphasis for the Council would be on those people who had lost or were losing their homes rather than rough sleepers or those on the council home waiting list. Councillor Hiller expressed his thanks to those who had assisted in compiling the report, which had the primary focus of preventing homelessness. It was advised that nearly 80,000 households were in temporary accommodation nationwide at the end of last year. The government had recently announced an increase in the value of the Flexible Homeless Support Grant to be paid to Peterborough in 2019 / 2020 in addition to the new funding made available to support the introduction last month of the Homelessness Act.

Councillor Walsh seconded the recommendations and reserved the right to speak.

Members debated the recommendations. In summary, key points raised included:

- It was suggested that timescales and costs were needed within the proposal to measure against the objectives to ensure they were met.
- Comment was made that the report didn't mention the desperate need for

housing stocks in the city and the shortage of affordable homes or plans to increase such stock included in the report.

- Members expressed appreciation for the work currently carried by housing officers.
- Members were disappointed at the way they considered the Council had acted slowly in tackling homelessness.
- It was considered that the homelessness situation was the worst it had ever been in Peterborough, which had the highest number of homelessness reports in the region whilst having a 9% empty property rate.
- Members recalled that at the previous Council meeting there was a motion to be debated on homelessness however, due to the guillotine, there was no discussion on this motion and it was defeated. The press had suggested that this motion would have eradicated homelessness in Peterborough.
- It was noted that funds had been allocated in the budget for housing.
- Members considered that the report outlined a clear action plan that gave, dates, times and actions up to 2019.
- It was advised that homelessness and rough sleeping were two different issues.
- Comment was made that more temporary accommodation was provided now than in the past.

Councillor Walsh exercised her right to speak as seconder of the recommendations and reinforced the comments made by members regarding the action plan within the report. Homelessness was a condition that needed to be tackled together with other complex issues that, if it was felt, could not be solved simply by giving someone shelter for the night. Work had continued for some time with the Light Project which had been adopted as one of the Mayors Charities this year.

Councillor Hiller summed up and advised that he wished to balance comments made earlier and, as such, noted that the 10 worst local authorities for keeping people in temporary accommodation were Labour controlled both inside and outside London.

A vote was taken (51 in favour, 2 against, 3 abstaining) and it was **RESOLVED** that the Council approved the report of the Task and Finish Group to Assist in the Development of a new Homelessness Strategy and the recommendations contained within.

(ii) **Audit Committee Recommendation – Changes to the Constitution**

Councillor Aitken moved the recommendations in so doing advised that the Audit Committee had considered and recommended that the Petitions Scheme was amended to reorder the debate process so that proposals are moved prior to debate, that the updated Council Standing Orders were accepted on the postponement or cancellation of meetings and the electronic voting process, and that the Member Officer Protocol was amended to include expectations when working across ward boundaries.

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

Members debated the recommendations. In summary, key points raised included:

- It was noted that Members were often advised of issues outside their ward

when people knew that they were Members and therefore assumed they could help.

- Comment was made that the recommendation ill thought through.
- There were strong objections to the wording of the Member Officer Protocol, which was felt to be routinely ignored by Members and officers.
- It was noted that group representatives on committees should receive regular briefings from the directors of the relevant service, however this had not happened.
- It was suggested that rules around cross ward working were not common practice across the country with only two councils having this provision in their constitution, one of which specifically excluded case work arising from canvassing.
- Comment was made that the proposal was impractical and unenforceable.
- It was questioned whether the passing of case work onto other Members breached the General Data Protection Regulation (GDPR).
- Members felt that common sense and courtesy should be upheld within all dealings without reference to party politics.
- It was advised that parliamentary protocol dictated that MPs did not work within another area without advising each other they are doing so.
- Comment was made that those in temporary accommodation were unlikely to know who their ward councillor was and many people were not registered to vote.
- The Member Officer Protocol had been discussed by Members from all parties at the Governance Board.
- It was suggested that some Members were actively seeking out issues in other wards to target them specifically in order to win the seat, and prospective candidates were being encouraged to do this.
- It was further noted that parish councils operated across ward boundaries.

Councillor Over exercised his right to speak as seconder of the recommendations and commented that the changes to the Petition Scheme were reasonable to make it easier for the public to follow what was being done. Training in Planning and Licensing was considered a legal obligation. Councillor Over commented that the electronic voting system should have been working correctly given the length of time it had been in place. Councillor Over felt that officers needed to contact Members on a more regular basis to improve communication.

A recorded vote was taken the proposals (47 in favour, 7 against, 0 abstaining, 5 not voting):

Councillors For: Aitken, Ali, Allen, Ayres, Bashir, Bisby, Bull, Casey, Cereste, Coles, Ellis, Farooq, Ferris, Fitzgerald, Fuller, John Fox, Judy Fox, Goodwin, Harper, Hemraj, Hiller, Holdich, Howell, Hussain, Amjad Iqbal, Azher Iqbal, Jamil, Jones, Joseph, King, Lane, Mahabadi, Martin, Murphy, Nadeem, Gul Nawaz, Shaz Nawaz, Over, Rush, Seaton, Serluca, Simons, Smith, Stokes, Warren, and Walsh

Councillors Against: Barkham, Hogg, Lillis, Sandford, Saltmarsh, Bond, and Shaheed

Councillors Abstaining: Nil

Councillors Not Voting: Ash, Brown, Dowson, Fower, and Whitby

It was **RESOLVED** that the Council approved:

1. The updated Petitions Scheme set on in **Appendix 1** to the original Audit Committee report.
2. Changes to the Council Standing Orders set out in **Appendix 1** to the supplementary Audit Committee report.
3. The insertion of the wording to the Member Officer Protocol:
“Members will normally, as a courtesy, keep Ward Councillors advised of matters in the ward in which the resident they are dealing with lives. There may be circumstances where urgent or immediate action needs to be taken (such as safeguarding or health and safety issues) which means this communication/information sharing is retrospective.”

17. Calendar of Meetings 2018 / 2019

A vote was taken (unanimous) and it was **RESOLVED** that the Council approved the Calendar of Meetings (**Appendix 1** to the report) for 2018 / 2019.

The Mayor
7.45pm – 10.00pm
21 May 2018

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