

**MINUTES OF A MEETING OF THE STRONG AND SUPPORTIVE COMMUNITIES
SCRUTINY COMMITTEE HELD AT THE BOURGES/VIERSEN ROOM - TOWN HALL
ON 6 APRIL 2010**

Present: Councillors M Todd (Chairman), S Day (Vice-Chairman), M Collins,
M Fletcher, JR Fox, S Goldspink and P Kreling

Officers Present: Helen Edwards, Solicitor to the Council
Louise Tyers, Scrutiny Manager

1. Apologies for Absence

An apology for absence was received from Councillor Samantha Dalton.

2. Declarations of Interest and Whipping Declarations

Councillor JR Fox declared a personal interest as his name had originally been put forward as a nomination to the vacancy on the Nene Park Trust.

3. Request for Call In of an Executive Decision: Nene Park Trust - Appointment of Council Representative

On 19 March 2010, the Leader made and published an executive decision relating to the Nene Park Trust – Appointment of Council Representative. On 24 March 2010, Councillors Goldspink and Sandford submitted a request to call-in this decision on the following grounds:

- (i) The decision did not follow the principles of good decision making as set out in Article 12 of the Council's Constitution, specifically that the decision maker did not:
 - (a) Realistically consider all alternatives and, where reasonably possible, consider the views of the public; and
 - (b) Follow procedures correctly and be fair.

In support of the request Councillor Goldspink made the following points:

- The procedures had not been followed correctly.
- Alternative options had not been considered.
- The Leader had proposed Councillor S Dalton and then approved her appointment.
- The request for call-in was not about the suitability of Councillor Dalton.
- The procedure used in this appointment was a violation of the Constitution and against the principles of English law.
- The Leader did not speak to Councillor Murphy about what he could bring to the position.
- The Nene Park Trust wanted the appointment of someone who was interested in the work of the Trust.
- There was already a Conservative appointment on the Trust.
- Since 2002, the two appointments had always been one Conservative and one from an opposition group. What message did it send to the public to now appoint two Conservatives?

In response to the request, the Solicitor to the Council made the following comments:

- A different process was used to make appointments outside of the annual review, where the views of the group secretaries may be sought. This did not stop the group leaders making nominations.
- Views on the vacancy were sought and other nominations had been received and considered.
- In a political environment the principle of not judging your own case does not quite work as the Leader was delegated to make the decision.

The following comments and observations were made:

- The appointment if made now would only last about a month before it could all change during the annual review of appointments.
- There was a third place on the Trust to which an officer had been appointed. *Councillor Goldspink advised that it was through custom and practice that that post was allocated to an officer however it had not been confirmed through the annual process.*
- Had the Nene Park Trust given any guidance on the appointment, for example, someone independent from the Administration? *There was no requirement for independence.*
- As the annual review process would happen in around six weeks, a way forward could be to leave the appointment vacant at this time and deal with it as part of the annual review.

It was proposed by Councillor Collins and seconded by Councillor JR Fox that the decision was called in and referred back to the Leader with a recommendation that the position was kept vacant and dealt with as part of the annual review of appointments to outside bodies in May 2010.

On being put to the vote there were 7 votes for and 0 against.

RESOLVED to call in the decision and refer it back to the Leader with the recommendation that the position is kept vacant and dealt with as part of the annual review of appointments to outside bodies.

CHAIRMAN
6.30 - 6.55 pm