

A meeting of **HUNTINGDONSHIRE DISTRICT COUNCIL** will be held in the **CIVIC SUITE, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON PE29 3TN** on **WEDNESDAY, 15 MAY 2013** at **6:00 PM** and you are requested to attend for the transaction of the following business:-

PRAYER

The Venerable Hugh McCurdy, Archdeacon of Huntingdon and Wisbech to open the meeting with prayer.

APOLOGIES

CHAIRMAN'S ANNOUNCEMENTS

1. ELECTION OF CHAIRMAN

To elect the Chairman of the Council for the ensuing Municipal Year.

2. MINUTES (Pages 1 - 12)

To approve as a correct record the Minutes of the meeting held on 24th April 2013.

3. MEMBERS' INTERESTS

To receive from Members declarations as to disclosable pecuniary or other interests in relation to any Agenda item. See Notes below.

4. APPOINTMENT OF VICE-CHAIRMAN

To appoint a Vice-Chairman of the Council for the ensuing Municipal Year.

5. LOCAL GOVERNMENT ACT 1972: SECTION 89 - BRAMPTON WARD

To receive a report by the Returning Officer on the person elected to the Office of District Councillor for the Brampton Ward.

6. REPORT OF THE SENIOR OFFICERS' PANEL (Pages 13 - 14)

Report of the meeting held on 1st May 2013.

7. REPRESENTATION OF POLITICAL GROUPS ON DISTRICT COUNCIL PANELS, ETC (Pages 15 - 20)

To consider a report by the Head of Legal and Democratic Services on the representation of political groups on Panels, etc in accordance with Section 15 of the Local Government and Housing Act 1989 and the District Council's Constitution.

8. APPOINTMENT OF CABINET

The Executive Leader to announce the names of a maximum of eight Councillors who shall be Members of the Cabinet.

9. OVERVIEW AND SCRUTINY PANELS

- (i) Overview and Scrutiny Panel (Economic Well-Being) - 12 Members
(plus 2 co-optees)
- (ii) Overview and Scrutiny Panel (Environmental Well-Being) - 12 Members
(plus 2 co-optees)
- (iii) Overview and Scrutiny Panel (Social Well-Being) - 12 Members
(plus 2 co-optees)

10. COMMITTEES AND PANELS

- (i) Corporate Governance Panel - 8 Members
- (ii) Development Management Panel - 16 Members
(to include 1 Member of the Cabinet in an ex-official capacity with appropriate executive responsibility)
- (iii) Employment Panel - 8 "
- (iv) Licensing and Protection Panel - 12 "
- (v) Licensing Committee - 12 "
- (vi) Senior Officers' Panel - 5 Members
(to comprise the Chairman and Vice-Chairman of the Employment Panel, Deputy Leader, relevant Executive Councillor and Leader of the majority opposition party [or their respective nominees])
- (vii) Standards Committee - 8 Members
(plus 2 co-opted Parish Council representatives)
- (viii) Appeals Sub-Group - 15 Members
(a pool of Members from

which the Head of Legal and Democratic Services is authorised to convene a meeting of the Appeals Sub-Committee comprising up to 5 Members [excluding Members of the Employment Panel] to determine appeals under the Council's disciplinary and appeals procedures)

- (ix) Elections Working Group - 6 Members
(to undertake a review of polling districts)

FOR INFORMATION (Pages 21 - 28)

Details of allowances paid to Members and Council, Panel and Committee attendance records for 2012/13 are reproduced as annexes to the agenda.

Dated this 7th day of May 2013



Head of Paid Service

Notes

A. Disclosable Pecuniary Interests

- (1) *Members are required to declare any disclosable pecuniary interests and unless you have obtained dispensation, cannot discuss or vote on the matter at the meeting and must also leave the room whilst the matter is being debated or voted on.*
- (2) *A Member has a disclosable pecuniary interest if it*
- (a) relates to you, or*
 - (b) is an interest of -*
 - (i) your spouse or civil partner; or*
 - (ii) a person with whom you are living as husband and wife; or*

(iii) a person with whom you are living as if you were civil partners

and you are aware that the other person has the interest.

(3) Disclosable pecuniary interests includes -

- (a) any employment or profession carried out for profit or gain;
- (b) any financial benefit received by the Member in respect of expenses incurred carrying out his or her duties as a Member (except from the Council);
- (c) any current contracts with the Council;
- (d) any beneficial interest in land/property within the Council's area;
- (e) any licence for a month or longer to occupy land in the Council's area;
- (f) any tenancy where the Council is landlord and the Member (or person in (2)(b) above) has a beneficial interest; or
- (g) a beneficial interest (above the specified level) in the shares of any body which has a place of business or land in the Council's area.

B. Other Interests

(4) If a Member has a non-disclosable pecuniary interest or a non-pecuniary interest then you are required to declare that interest, but may remain to discuss and vote.

(5) A Member has a non-disclosable pecuniary interest or a non-pecuniary interest where -

- (a) a decision in relation to the business being considered might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the council tax payers, rate payers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area, or
- (b) it relates to or is likely to affect any of the descriptions referred to above, but in respect of a member of your family (other than specified in (2)(b) above) or a person with whom you have a close association

and that interest is not a disclosable pecuniary interest.

Please contact Ms C Deller, Democratic Services Manager, Tel No 01480 388007/e-mail: Christine.Deller@huntingdonshire.gov.uk if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Council.

Agenda and enclosures can be viewed on the District Council's website – www.huntingdonshire.gov.uk (under Councils and Democracy).

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Agenda Item 2

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the COUNCIL held in the Civic Suite, Pathfinder House, St. Mary's Street, Huntingdon, PE29 3TN on Wednesday, 24 April 2013.

PRESENT: Councillor Mrs B Boddington – Chairman.

Councillors J D Ablewhite, S Akthar,
M G Baker, K M Baker, Mrs M Banerjee,
I C Bates, P L E Bucknell, G J Bull,
E R Butler, R C Carter, S Cawley,
B S Chapman, S J Criswell, I J Curtis,
J W Davies, D B Dew, R Fuller, D A Giles,
J A Gray, S Greenall, N J Guyatt, A Hansard,
G J Harlock, R Harrison, D Harty, R B Howe,
C R Hyams, Mrs P A Jordan, P Kadewere,
Ms L Kadic, S M Van De Kerkhove,
Mrs P J Longford, A J Mackender-Lawrence,
P G Mitchell, M C Oliver, J W G Pethard,
P D Reeve, Mrs D C Reynolds, T V Rogers,
T D Sanderson, M F Shellens, R G Tuplin,
D M Tysoe, P K Ursell and A H Williams.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors K J Churchill, W T Clough, Mrs L A Duffy, R S Farrer and R J West.

72. PRAYER

The Reverend Canon B Atling, Rural Dean of Huntingdon, Rector of the Benefice of Hartford and Houghton and Wyton opened the meeting with Prayer.

73. CHAIRMAN'S ANNOUNCEMENTS

(a) Chairman's Events

The Chairman briefly described the events she had attended on behalf of the Council since February mentioning, in particular, her presentations to young people at the Student Voice Conference at Hemingford Abbots Golf Club and the Huntingdonshire Regional College and the beginning of work on the Huntingdon West Relief Road.

Councillor Mrs Boddington drew attention to the celebrations which marked the award of the Freedom of Huntingdonshire to the 423rd Airbase Group, RAF Alconbury and RAF Molesworth. Having described the proceedings and thanked those Members able to join her for the occasion, the Deputy Executive Leader, Councillor N J Guyatt congratulated the Chairman on the success of the event and looked forward to the formal award of the Freedom of the District to RAF Wyton in mid-August which he was sure would similarly be a very memorable occasion.

As it was the last Council meeting in the Municipal Year, the Chairman reported that she had raised approximately £2,400 for her chosen charities, Cancer Research, Natural High, St. John's Ambulance and the Samaritans.

(b) **Former Councillor P J Downes**

The Chairman referred to the recent resignation of Mr P J Downes as Councillor for Brampton and paid tribute to the valuable service given by Mr Downes to the District Council for over 15 years since he was first elected in November 1997.

Despite differences in their political affiliations, the Executive Leader, Councillor J D Ablewhite thanked Mr Downes for his contribution to various Panels and Committees over many years adding that it had been a pleasure to work with him. As former Leader, Councillor I C Bates acknowledged the contribution of Mr Downes towards the early days of Overview and Scrutiny and in particular paid tribute to his professionalism, manner and commitment as well as the considered way in which he had participated in Council meetings. Further tributes of a similar nature were made by the Chairman, Councillor Mrs B E Boddington, Councillors M G Baker, J A Gray, N J Guyatt, P D Reeve and M F Shellens.

In response, Mr Downes indicated that he had enjoyed his time as a District Councillor and had learned a great deal from the experience. He added that local government was more complex than he had expected and that it would be a great responsibility to adjust priorities in the future to meet the challenges posed by the changing financial environment. Mr Downes thanked all Councillors and Officers for their continuing assistance, and in particular, those Members of the Liberal Democrat Group both past and present for their hard work. Lastly Mr Downes thanked Councillor M F Shellens as the person largely responsible for his first election success adding how proud he was to have increased his majority from 18 in 1997 to 734 last May. He also wished Councillor Ablewhite every success for the future.

Having announced that Councillor M G Baker had been elected as new Leader of the Liberal Democrat Group, Members

RESOLVED

that the Council place on record its appreciation to former Councillor P J Downes for his services to the District and extends its best wishes to him and his family for the future.

74. MINUTES

The Minutes of the meeting of the Council held on 20th February 2013 were approved as a correct record and signed by the Chairman.

75. MEMBERS' INTERESTS

None were declared.

76. COUNCIL MEMBERSHIP

(a) Local Government Act 1972: Section 84 – Brampton

Further to Minute No. 73 (b), the Chairman formally reported the resignation of Mr P J Downes, District Councillor for Brampton and confirmed that the by-election for the vacancy would be held on 2nd May 2013 in conjunction with the County Council Elections.

(b) Local Government and Housing Act 1989

Having noted the resignation of Councillor S M Van De Kerkhove from the Liberal Democrat Group, the Council agreed that given the proximity of the Annual Meeting and the pending by-election it would be appropriate to defer a review of the representation of political groups on the District Council until the Annual Meeting on 15th May 2013.

77. UPDATE ON LOCAL PLAN 2011 - 2036: TIMETABLING AND PROCESS

In his role as Deputy Leader and Executive Councillor for Planning and Housing Strategy, Councillor N J Guyatt advised Members that it had been his intention to make a presentation to Council based on information to be provided by Cambridgeshire County Council. However, given the impending County Elections and the embargo on the release of sensitive data, the presentation would instead seek to confirm to Members the local plan process and timetabling following its formal submission to the Cabinet on 16th May 2013.

By reference to a powerpoint presentation, a copy of which is appended in the Minute Book, the Assistant Director, Environment, Growth and Planning, Mr S Ingram explained that the plan was based on four key themes – Economy, Housing, Infrastructure and Environment and that Stage 2 Consultation had been completed with approximately 1,200 representations having been received. Three hundred and fifty of these were comments on overall strategy, 270 on the development management policies, 200 on proposed development in the Huntingdon Spatial Planning Area and 150 on issues relating to key service centres and smaller settlements. Whilst, understandably, the representations contained some objections, the majority were generally supportive of the proposed strategy and the focus on growth in towns, larger villages and at strategic expansion locations. Mention was made of the opportunity for additional growth in the key service centres and smaller villages but this would require to be positively led by the community via a Neighbourhood Plan envisaged under the localism agenda.

In terms of key dates for the next stages of the process, Mr Ingram explained that Stage 3 to July 2013 was the last non-statutory stage and that it was essential for Members to engage in the process at this point and encourage their respective Town and Parish Councils to do likewise. Stages 4 – 8 would be completed more quickly to enable the local plan to be adopted by December 2014. Endorsing this request for Members to become involved, Councillor Guyatt urged the Council to indicate any support as well as any objection to the Local Plan. He added that the same messages would be delivered to Town and Parish Councils during training sessions on the Plan over the Summer.

In the questions which followed and in response to one from Councillor I C Bates, Mr Ingram explained that Government Guidance suggested that the Local Plan should be one document. However, he acknowledged that it would be essential to work with partners to seek to deliver appropriate infrastructure to manage, for instance, the potential development of the site at RAF Wyton. Mr Ingram reminded the Council that CIL and the Infrastructure Business Plan were critical policy documents and would be considered together with the Local Plan when assessing future development such as that suggested at RAF Wyton.

Referring to the key themes, Councillor S M Van De Kerkhove expressed concern that infrastructure had not appeared as a top priority in the powerpoint presentation given the impact of further development in St. Neots. In response, Mr Ingram clarified that the District Council had merely followed the order of themes suggested by the National Planning Policy Framework and whilst economic growth was key he understood the issues raised and underlined how essential it would be to continue to work with Partners to deliver the infrastructure required to support both economic and housing growth.

Lastly, Councillor M F Shellens drew attention to the potential impact on Town and Parish Councils of the intention to adopt the District Local Plan by December 2014. He explained that Town and Parish Councils would be eligible to receive 25% of CIL receipts but only in circumstances when a Parish Plan was in place but that this had to conform with the District Local Plan. Suggesting that this could not be achieved given the current timescale, Councillor Shellens asked whether the District Council would be in a position to offer compensation to Town and Parish Councils for any shortfall in funding. In recognising that it would be difficult for a local council to produce the Parish Plan in advance of the Local Plan, Mr Ingram encouraged local councils to work in parallel with the District Council at this time suggesting that there were cost/time benefits in doing so.

78. GREEN PAPER ITEM - COMMUNITY COVENANT

As the Council's representative on the Cambridgeshire Armed Forces Community Covenant Board, Councillor R Harrison addressed the Council on the work of the Cambridgeshire Covenant, initiatives being pursued by other covenants nationally and the Community Covenant Grant Scheme (a copy of Councillor Harrison's powerpoint presentation is appended in the Minute Book).

Having explained the principles of the Community Covenant, Councillor Harrison described the structure and approach of the Cambridgeshire Board and the main work streams. In terms of Huntingdonshire, Members were advised that the District Council played a key role in the County Covenant, gave access to housing for service personnel and veterans, offered a discount scheme for One Leisure use and were planning other local initiatives including, for instance, a guaranteed job interview for ex-forces personnel. Whilst welcoming these initiatives, Councillor Harrison described the various projects introduced by other authorities such as the Vale of Glamorgan, Hampshire and Buckinghamshire County Councils and Birmingham City Council which he was hopeful that Huntingdonshire could aspire to. In closing, Councillor Harrison gave examples of the practical ways in which the Community Covenant Grant Scheme was being used.

Councillors D B Dew, D A Giles and A Hansard all indicated their support for and highlighted the importance of the work of the Community Covenant locally, particularly at a time when the Government was considering proposals for a further reduction in the Armed Forces.

The Executive Leader, Councillor J D Ablewhite thanked Councillor Harrison for his presentation and his endeavours on the District Council's behalf suggesting that the Authority would, given the nature of the District, continue to support the Covenant in the future.

79. 2013/14 TREASURY MANAGEMENT STRATEGY

Further to Minute No. 64 and by way of a report by the Assistant Director, Finance and Resources (a copy of which is appended in the Minute Book) the Executive Councillor for Resources, Councillor J A Gray explained that in approving its Treasury Management Strategy at the last meeting, the Council had not provided in the Strategy for the opportunity to use "instant access" call accounts to minimise risk whilst maintaining effective cash management when ratings reduced from F1+ to F2. As this was principally a technical adjustment to the Strategy, Councillor Gray moved and it was duly seconded and

RESOLVED

that an amendment to the 2013/2014 Treasury Management Strategy be approved to permit the use of liquidity accounts rated as F2 or above.

80. REPORTS OF THE CABINET, PANELS AND COMMITTEE

(a) Cabinet

Councillor J D Ablewhite, Executive Leader and Chairman of the Cabinet presented the Report of the meetings of the Cabinet held on 21st March and 18th April 2013.

.....

Whereupon, it was

RESOLVED

that the Report of the meetings of the Cabinet held on 21st March and 18th April 2013 be received and adopted.

(b) Overview and Scrutiny Panel (Economic Well-Being)

Councillor T V Rogers presented the Report of the meetings of the Overview and Scrutiny Panel (Economic Well-Being) held on 7th March and 4th April 2013.

In connection with Item No. 51 and in response to a question from Councillor D A Giles regarding under-occupancy and whether an individual would be penalised if they were unable to secure suitably sized alternative accommodation to move into, Councillor Rogers suggested that although the question should have been directed towards the appropriate Executive Councillor he would ask for a written response to be sent to the questioner.

.....

Whereupon, it was

RESOLVED

that the Reports of the meetings of the Overview and Scrutiny Panel (Economic Well-Being) held on 7th March and 4th April 2013 be received and adopted.

(c) Overview & Scrutiny Panel (Environmental Well-Being)

Councillor D Harty presented the Report of the meetings of the Overview and Scrutiny Panel (Environmental Well-Being) held on 12th March and 9th April 2013.

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Whereupon, it was

RESOLVED

that the Report of the meetings of the Overview and Scrutiny Panel (Environmental Well-Being) held on 12th March and 9th April 2013 be received and adopted.

(d) Overview & Scrutiny Panel (Social Well-Being)

Councillor S J Criswell presented the Report of the meetings of the Overview and Scrutiny Panel (Social Well-Being) held on 5th March and 2nd April 2013.

.....

In connection with Item No. 54 and in response to concern expressed by Councillor S Greenall regarding low levels of employee morale at Hinchingsbrooke Hospital, Councillor Criswell reported that a Joint Working Group comprising representatives of the County Council and Circle Health Care would continue to meet during the period between the Annual Review undertaken by the Panel and that he would raise the issue with them and report to the Council on the outcome. On the same subject and in response to a question from Councillor C R Hyams asking whether users of the Hospital were consulted on the services provided, Councillor Criswell advised Members that Healthwatch Cambridgeshire recently had been established as an independent consumer champion for users of health and social care services and whilst it might not be able to pursue individual complaints, it might recognise the trend in issues raised which could lead to action being taken.

.....

In connection with Item No. 55, Councillor Criswell alerted Members to the possibility of a change in arrangements for the Huntingdonshire Matters Event as the date chosen coincided with the Annual Meeting at Cambridgeshire County Council. He was aware that an alternative date of 26th June had been proposed but had not yet been confirmed and that there was a suggestion that events might be held on both days anyway.

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Whereupon, it was

RESOLVED

that the Report of the meetings of the Overview and Scrutiny Panel (Social Well-Being) held on 5th March and 2nd April 2013 be received and adopted.

(e) Development Management Panel

Councillor D B Dew presented the Report of the meetings of the Development Management Panel held on 25th February, 18th March and 15th April 2013.

.....

Councillor Dew indicated the Panel's intention to consider several large and complex planning applications at special meetings to ensure that Members had sufficient time to consider each proposal in the detail required.

.....

Whereupon, it was

RESOLVED

that the Report of the meetings of the Development Management Panel held on 25th February, 18th March and 15th April 2013 be received and adopted.

(f) Corporate Governance Panel

Councillor E R Butler presented the Report of the meeting of the Corporate Governance Panel held on 26th March 2013. An addendum to the Report in relation to Item No. 33 also had been circulated to Members in advance with a further copy tabled at the meeting.

.....

Upon being put to the vote recommendations (a) – (i) contained in Item No. 33 were declared to be CARRIED.

On the same subject and having been put to the vote, the recommendations contained in the addendum to the Report also were declared to be CARRIED.

Whereupon, it was

RESOLVED

that, subject to the foregoing paragraphs the Report of the meeting of the Corporate Governance Panel held on 26th March 2013 be received and adopted.

81. ORAL QUESTIONS

In accordance with the Council Procedure Rules (paragraph 8.3 of the Rules), the Chairman proceeded to conduct a period of oral questions addressed to Executive Councillors and Panel Chairmen as follows:-

Question from Councillor M F Shellens to the Executive Councillor for Healthy and Active Communities, Councillor T D Sanderson

Having asked the Executive Councillor if the increase in attendance figures predicted, following the redevelopment of One Leisure, St. Ives, had been achieved, Councillor Sanderson replied that the forecast had been based on predicted attendances in 2013/2014, that the Centre was not yet fully operational as the improved gym was due to open within the next three weeks but that once all facilities were open to the public he was confident that the Centre would meet the targets originally identified.

Question from Councillor R Carter to the Executive Councillor for Resources, Councillor J A Gray

In response to a question asking why the Council chose to use capital rather than revenue resource to acquire new refuse vehicles, Councillor Gray explained that the Overview and Scrutiny Panel (Economic Well-Being) had discussed the issue of borrowing and

capital expenditure at length and had concluded that in the current financial climate it was not possible to fund capital items from revenue. However, Councillor Gray reminded the Council that it was the objective to achieve a balanced revenue budget by the financial year 2016/2017 and it may be possible to fund items from revenue, in the future, when this became affordable. Mindful of other factors, however, Councillor Gray suggested that it could prove to be cheaper to lease vehicles rather than purchase. He also was aware that the Executive Councillor for Environment and the Head of Operations currently were looking at the potential of joint procurement of vehicles in the future.

Question from Councillor C R Hyams to the Executive Leader, Councillor J D Ablewhite

In response to a question regarding the value of the appointment of District Council representatives to Luminus Homes when their ability to contribute was tightly controlled by the organisation, Councillor Ablewhite acknowledged that the current situation was unacceptable and that efforts were being made to find a solution which would be agreeable to both parties and make the role of the District Council representative on the Board more meaningful.

Question from Councillor R Harrison to the Executive Councillor for Customer Services, Councillor B S Chapman

In response to a question regarding the nature of the District Council's preparations to meet a potential increase in demand for housing from eastern european migrants in 2014, Councillor Chapman reported that the Council had no duty to provide housing to individuals without a local connection.

Question from Councillor S M Van De Kerkhove to the Executive Councillor for Strategic Planning and Housing, Councillor N J Guyatt

Regarding the withdrawal of the 38 free parking bays in the Riverside Park, St. Neots and increases in car parking charges generally, Councillor Guyatt undertook to provide the questioner with a written response on whether St. Neots Town Council or individual Councillors raised any objection to the changes/proposed charges and particularly the loss of the free parking bays during the recent public consultation.

Question from Councillor J A Gray to the Executive Leader, Councillor J D Ablewhite

Having regard to the recent Statement from the Secretary of State for Communities and Local Government, Mr E Pickles, that communities should be encouraged to champion local identities, Councillor Ablewhite indicated that he had welcomed the Secretary of State's announcement and the opportunity to promote the traditions of the old County of Huntingdonshire.

Question from Councillor D A Giles to the Executive Councillor for Customer Services, Councillor B S Chapman

Further to Minute No. 80(b), Item No. 51 and whilst acknowledging

that Councillor T V Rogers had requested that a written answer be prepared for the questioner, Councillor Chapman confirmed that the new welfare reforms relating to under-occupancy did not apply to the elderly, that he was aware of the shortage of social housing stock which made it more difficult for individuals to down-size but that the District Council had to find a way, perhaps through the planning process, to reduce the number of families in bed and breakfast accommodation which was moral and equitable. In response to a supplementary question regarding the limited opportunities that existed to down-size, Councillor Chapman suggested that the District Council would offer assistance by looking at various alternatives particularly in the private rented sector.

Question from Councillor P Kadewere to the Executive Leader, Councillor J D Ablewhite

In response to a question which suggested that communication between the three tiers of authority locally required to be improved to overcome various issues in Kings Ripton Park/Sapley Road, Huntingdon and in respect of continuing car parking problems in Essex Road, Huntingdon, Councillor Ablewhite acknowledged that whilst it might be difficult for the public to distinguish which Council was responsible for a particular function, he commended the "Shape Your Place" initiative as a way to point residents in right direction and suggested that the Councillor should encourage his residents to make use of the tool. Regarding parking issues in Essex Road, Huntingdon, Councillor Ablewhite indicated that he was willing to meet the Residents' Association and he encouraged the questioner to make the necessary arrangements with his office.

Question from Councillor P D Reeve to the Executive Leader, Councillor J D Ablewhite

Having regard to the suggestion that the Police had withdrawn support of the speed watch initiative at a time when the District Council had approved the use of stickers to promote the reduction of speeding in villages, Councillor Ablewhite undertook to take up the issue on the Council's behalf at the Cambridgeshire Police and Crime Panel.

82. EXCLUSION OF PRESS AND PUBLIC

RESOLVED

that the press and public be excluded from the meeting because the business to be transacted contained exempt information which required legal professional privilege and confidentiality to be maintained.

83. ORAL QUESTIONS

Question from Councillor M G Baker to the Executive Leader, Councillor J D Ablewhite

In response to a question regarding recent legal proceedings in connection with a staffing matter, Councillor N J Guyatt, in his capacity as Chairman of the Senior Officers' Panel undertook to

respond to the question in writing.

The meeting closed at 8.45pm.

Chairman

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Senior Officers' Panel

Report of the meeting held on 1st May 2013.

Matter for Decision

1. RECRUITMENT OF MANAGING DIRECTOR AND HEAD OF SERVICE

(The following item was considered as a confidential item under paragraph 1 of Part I of Schedule 12A to the Local Government Act 1972.)

Following their previous decision to restructure the Council's senior management arrangements, the Panel has interviewed short-listed candidates for the newly created post of Managing Director and Head of Paid Service.

For this key appointment, the Panel has received independent advice from the Society of Local Authority Chief Executives, who have significant experience in senior public sector appointments and in all recruitment and selection matters. Advice from representatives of LGSS has also been received.

The post was advertised nationally, attracting a strong field of over 70 applicants. Following technical interviews and an assessment centre which used a variety of methods to assess the suitability of the candidates for the role, three candidates were interviewed for the appointment on 1st May.

Overall, Members were very impressed with the standard of all shortlisted candidates. After careful consideration of all of the assessment information and on completion of the final interviews, the Panel were unanimous in their recommendation that a conditional offer of appointment should be made to Mrs Joanne Lancaster. The Panel considered that Mrs Lancaster demonstrated the necessary vision, strategic skills and experience to meet the future needs of the Council and challenges ahead.

Mrs Lancaster was most recently Assistant Chief Executive at Wolverhampton City Council and held that role from January 2009 to December 2012.

Subject to Council agreeing the Panel's recommendations and the completion of necessary checks, it is anticipated that Mrs Lancaster will be able to take up the appointment in late June which will allow for a handover period with the current incumbent.

The current salary scale for Local Grade 1 is included within the Council's Pay Policy Statement and has a minimum grade point of £98,514 and a maximum point of £147,768. The post was advertised with a starting salary in the region of £125,000 and Mrs Lancaster would be appointed on a spot salary of £125,000.

In accordance with the Council's Officer Employment Procedure Rules, an offer of appointment as Head of Paid Service shall not be made by the Council until details of the proposed appointment have been provided to Members of the Cabinet, who must be given a period for objection.

Subject to confirmation by the Executive Leader that there is no objection from any Member of the Cabinet to the offer of employment, it is

RECOMMENDED

that Mrs Joanne Lancaster be appointed as Managing Director and Head of Paid Service on a spot salary of £125,000.

N J Guyatt
Chairman

Representation of Political Groups on District Council Panels, etc.

Report by the Head of Legal and Democratic Services

1. INTRODUCTION

- 1.1 The Local Government and Housing Act 1989 and associated Regulations describe arrangements for achieving a balance on Panels etc, to reflect the representation of political groups and independent Members on the District Council. The Act requires the District Council to review the representation of different political groups at the time when the Authority holds its Annual Meeting and as soon as practicable and over one month after the last review if the Proper Officer receives a request to undertake a further review of the allocation of seats given a change to membership of a political group. Since the last review was undertaken at the Council meeting on 20th February 2013, the Head of Paid Service has received notification from Councillor S M Van de Kerkhove that he wished to resign from the Liberal Democrat Group. The outcome of the by-election at Brampton Ward also will need to be taken into account.

2. PRINCIPLES OF PROPORTIONALITY

- 2.1 Members are reminded that in performing the duty to review representation, the Council must, so far as reasonably practicable, only determine the allocation of seats having regard to the following principles -
- ◆ that not all the seats are allocated to the same political group;
 - ◆ that the majority of seats are allocated to the political group which forms a majority of the Council's membership; and
 - ◆ that the number of seats allocated is in the same proportion as is borne by the number of Members of a political group to the membership of the Council.
- 2.2 Currently it is open to the Council to approve alternative arrangements otherwise than in accordance with the principles of proportionality providing that the alternative arrangements are approved without any Member voting against them.

3. CONSTITUTION OF POLITICAL GROUPS

- 3.1 Therefore, following the recent by election in Brampton and change in the membership of the Liberal Democrat Group, the constitution of political groups on the Council is as follows:-

Name of Group	No. of Members
Conservative	37
Liberal Democrat	6
UKIP	3
Labour	1

There are three Members of the Council who are not aligned to a political group and separately, two other Members who are referred to as non aligned conservative.

- 3.2 The membership of groups in proportion to the total membership of the Council is therefore as follows:-

	%
Conservative	71.15
Liberal Democrat	11.53
UKIP	5.76
Labour	1.92

The Independent Members represent 5.76 % of the membership of the Council and similarly the Members who are referred to as non-aligned conservative also represent 3.84% of the Council membership.

4. LOCAL GOVERNMENT ACT 2000

- 4.1 Under the Local Government Act 2000, the proportionality requirements do not apply to the Cabinet or to any Sub-Groups or Sub-Committees, which the Cabinet may appoint. Appointment of the Cabinet also lies with the Executive Leader of the Council. Recent changes to the Constitution and the impact of the Localism Act 2011 on the standards regime have varied and increased to 88, the number of seats to which the Council can appoint.

- 4.2 The following requirements of the Act also need to be adhered to by the Council in determining the membership of Panels, etc. -

- ◆ the Cabinet may not include either the Chairman or Vice-Chairman of the Council;
- ◆ Overview and Scrutiny Panels may not comprise any Member of the Cabinet;
- ◆ the Executive Leader, Deputy Executive Leader and any Member of the Cabinet shall not be elected as Chairman of any Committee or Panel other than any that may be appointed by the Cabinet.

- 4.3 The Constitution also provides for the Development Management Panel, Licensing and Protection Panel, the Employment Panel and the Licensing Committee to include the relevant Executive Councillor within their respective membership. The Council has previously

appointed the Standards Committee to include one Member of the Executive.

Every Member of the Council shall be appointed to serve on a minimum of one Overview and Scrutiny Panel, Committee or Panel of the Council or the Cabinet.

5. PROPORTIONALITY

- 5.1 Excluding the Cabinet, the aggregate number of seats on Panels is now 88. Using the proportionality percentage referred to in paragraph 3.2 and rounding up or down as appropriate, produces the following entitlement –

	Seats
Conservative Group	63
Liberal Democrat Group	10
UKIP	5
Independent Members	5
Labour	2
Non aligned conservative	3

- 5.2 Applying the principles of the Act and, similarly, rounding the figures as necessary, gives the distribution as set out in the Annex.
- 5.3 The principles of proportionality apply similarly to advisory/sub-groups appointed or nominated by panels and regard must be given to the following examples of entitlements to seats:-

No. of Members on Sub-Group, etc	Proportion of Members from Political Groups					
	Cons	Lib Dem	UKIP	Indep	Lab	NAC
3	2	1	0	0	0	0
4	3	1	0	0	0	0
5	4	1	0	0	0	0
6	4	1	1/0	1/0	0	0
7	5	1	1/0	1/0	0	0
8	6	1	1/0	1/0	0	0
9	6	1	1	1	0	0
10	7	1	1	1	0	0

- 5.4 However, the Cabinet may not delegate any of its functions to non-Cabinet Members. Therefore any Sub-Group of the Cabinet that is exercising any decision-making powers delegated to it by the Cabinet must include only Cabinet Members. This does not prevent any Advisory Group appointed by the Cabinet that has no decision-making powers and whose terms of reference are merely advisory from including non-Cabinet Members.
- 5.5 It should be noted that the 2000 Act requires the appointment of a minimum of one Cabinet Member to a Joint Committee exercising executive functions. Other Members may be appointed to a Joint Committee and the political balance requirements do not apply

although circumstances will vary as to whether those Members can vote on executive decisions.

6. CONCLUSION

- 6.1 The Council is invited to determine the allocation of seats on District Council Panels to political groups and to the non-aligned Members in accordance with the distribution illustrated in the attached Appendix and to note the requirements for appointments to advisory/sub groups etc, in paragraph 5.3. The proportionality requirements do not apply to the Cabinet and its membership will be determined by the Executive Leader
- 6.2 The opportunity otherwise is available currently to allocate seats in accordance with an alternative arrangement, with the exception of the Cabinet, provided this arrangement is approved by the Council with no Member voting against.

BACKGROUND PAPERS

Local Government and Housing Act 1989
Local Government Act 2000
Localism Act 2011
District Council Constitution

Contact Officer: Christine Deller, Democratic Services Manager
☎ (01480) 388007

APPENDIX

Panel/ Committee	No. of Seats*	No. of Ex- officio	Title of Ex- officio	Cons	Lib Dem	UKIP	Indep.	Lab	CNA**	Cons	Lib Dem	UKIP	Indep.	Lab	NAC**
Corporate Governance Panel	8	0		5.69	0.92	0.46	0.46	0.15	0.31	6	1	1/0	1/0	0	0
Development Management Panel	16	1	Not defined	11.38	1.85	0.92	0.92	0.30	0.62	11	2	1	1	0	1
Employment Panel	8	1	Not defined	5.69	0.92	0.46	0.46	0.15	0.31	6	1	1/0	1/0	0	0
Licensing & Protection Panel/ Committee	12	1	Not defined	8.54	1.38	0.69	0.69	0.23	0.46	9	1	1	1	0	0
Overview & Scrutiny Panel (Economic Well- Being) ***	12	0		8.54	1.38	0.69	0.69	0.23	0.46	9/8	2/1/	1/0	1/0	1/0	1/2
Overview & Scrutiny Panel (Environmental Well-Being) ***	12	0		8.54	1.38	0.69	0.69	0.23	0.46	9/8	2/1/	1/0	1/0	1/0	1/2
Overview & Scrutiny Panel (Social Well- Being) ***	12	0		8.54	1.38	0.69	0.69	0.23	0.46	9/8	2/1/	1/0	1/0	1/0	1/2
Standards	8	1	Not defined	5.69	0.92	0.46	0.46	0.15	0.31	6	1	1/0	1/0	0	0
TOTAL	88			63	10	5	5	2	3	63	10	5	5	2	3

* The allocation of these seats must be balanced so that the total entitlement to seats on each group is not exceeded.

** NAC = non-aligned conservative

***Across all Overview & Scrutiny Panels, the total entitlement to seats is as follows-

Conservative – 26, Liberal Democrat – 4, UKIP – 2, Independent – 2, Labour -1, NAC – 1.

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Councillor's Current Expenditure Report 2012 - 2013

Name	Special		Arrears	Care & Other Allowances	Travel Expenses	Subsistance	Grand Total
	Basic Allowance	Responsibility Allowance					
ABLEWHITE, JASON	£4,235.04	£14,010.00			£1,582.80	£77.90	£19,905.74
AKTHAR, SAEED	£4,235.04						£4,235.04
BAKER, KEITH	£4,235.04	£1,302.50	£67.23	£572.00	£593.20		£6,769.97
BAKER, MICHAEL	£4,235.04	£648.96					£4,884.00
BANERJEE, MADHABI	£4,235.04	£516.70	£26.67		£895.95		£5,674.36
BATES, IAN	£4,235.04				£88.20		£4,323.24
BODDINGTON, BARBARA	£4,235.04	£4,016.34	£94.62	£4,376.00	£1,830.95		£14,552.95
BUCKNELL, PETER	£4,235.04	£2,837.04		£227.04	£394.65		£7,693.77
BULL, GRAHAM	£4,235.04	£2,488.34	£96.43	£120.00	£286.85		£7,226.66
BUTLER, ERIC	£4,235.04	£2,588.04			£538.65		£7,361.73
CARTER, ROBIN	£3,246.86				£175.05		£3,421.91
CAWLEY, STEPHEN	£4,235.04	£2,470.30	£79.66	£227.04			£7,012.04
CHAPMAN, BARRY	£4,235.04	£8,394.00		£227.04	£194.40		£13,050.48
CHURCHILL, KENNETH	£4,235.04				£121.50		£4,356.54
CLOUGH, WILLIAM	£4,235.04	£620.04		£227.04	£9.90		£5,092.02
CRISWELL, STEPHEN	£4,235.04	£5,604.00			£144.00		£9,983.04
CURTIS, IAN	£4,235.04			£120.00	£433.80		£4,788.84
DAVIES, JOHN	£4,235.04	£6,311.04			£266.40		£10,812.48
DEW, DOUGLAS	£4,235.04	£6,311.04			£226.35		£10,772.43
DEW, JULIE (retired May 2012)	£421.23						£421.23
DOWNES, PETER (resigned 12th March 2013)	£4,018.73	£6,647.22			£52.20		£10,718.15
DUFFY, LISA	£3,813.81						£3,813.81
DUTTON, JEFFERY (not re-elected May 2012)	£421.23	£435.94			£284.65		£1,141.82

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Name	Special			Care & Other Allowances	Travel Expenses	Subsistance	Grand Total
	Basic Allowance	Responsibility Allowance	Arrears				
FARRER, RODNEY	£4,235.04	£51.67	£16.61				£4,303.32
FULLER, RYAN	£3,813.81		£20.00	£80.00	£33.00		£3,946.81
GILES, DEREK	£3,813.81				£153.90		£3,967.71
GODFREY, PHILIP (deceased 2nd April 2012)	£23.53	£31.13			£40.50		£95.16
GODLEY, PETER (retired May 2012)	£705.84			£37.84			£743.68
GRAY, JONATHAN	£4,235.04	£8,394.00					£12,629.04
GREENALL, STEPHEN	£4,235.04	£373.66	-£96.43	£227.04			£4,739.31
GUYATT, NICHOLAS	£4,235.04	£10,536.96		£227.04	£2,782.35		£17,781.39
HANSARD, ANDREW	£4,235.04	£1,389.48	£192.99		£225.00		£6,042.51
HARLOCK, GREGORY	£4,235.04	£472.84	-£122.02	£227.04	£351.00		£5,163.90
HARRISON, ROGER	£4,235.04			£227.04	£276.30		£4,738.38
HARTY, DAVID	£4,235.04	£5,043.66	£144.60	£227.04			£9,650.34
HOWE, ROBIN	£4,235.04	£875.84	£13.20	£227.04			£5,351.12
HYAMS, COLIN	£4,235.04	£2,364.20	£122.02	£107.04	£112.00		£6,940.30
JENNINGS, ANDY (not re-elected May 2012)	£421.23						£421.23
JORDAN, PATRICIA	£4,235.04						£4,235.04
KADEWERE, PATRICK	£3,813.81		£20.00	£80.00			£3,913.81
KADIC, ELAINE	£3,813.81						£3,813.81
LONGFORD, PAULA	£4,235.04	£620.04			£186.30		£5,041.38
MACKENDER-LAWRENCE, ALAN	£4,235.04	£516.70	£26.67	£120.00	£67.05		£4,965.46
MITCHELL, PETER	£4,235.04			£120.00	£352.80		£4,707.84
OLIVER, MARK	£3,813.81		£20.00	£80.00	£190.80		£4,104.61
PETHARD, JOHN	£3,813.81		£20.00	£80.00	£49.05		£3,962.86
REEVE, PETER	£4,235.04	£620.04					£4,855.08

Name	Special						Grand Total
	Basic Allowance	Responsibility Allowance	Arrears	Care & Other Allowances	Travel Expenses	Subsistance	
REYNOLDS, DEBORAH	£4,235.04	£1,868.30	£96.43	£120.00	£76.50		£6,396.27
ROGERS, TERENCE	£4,235.04	£5,604.00		£227.04	£492.20		£10,558.28
SANDERSON, THOMAS	£4,235.04	£8,394.00		£120.00	£41.40		£12,790.44
SHELLENS, MICHAEL	£4,235.04	£2,837.04		£120.00			£7,192.08
SIMPSON, LAWRENCE (retired May 2012)					£46.80		£46.80
SWALES, PHILLIP (retired May 2012)	£421.23	£338.07		£11.94	£39.15		£810.39
TUPLIN, RICHARD	£4,235.04	£620.04			£326.70		£5,181.78
TYSOE, DARREN	£4,235.04	£8,394.00		£227.04	£146.30		£13,002.38
URSELL, PAUL	£4,235.04	£568.37		£109.68			£4,913.09
VAN DE KERKHOVE, STEVE	£4,235.04	£516.70	£26.67	£120.00	£90.00		£4,988.41
WARD, PETER (retired May 2012)	£421.23	£61.67		£22.59			£505.49
WATT, JOHN (retired May 2012)	£421.23			£10.65	£27.00		£458.88
WEST, RICHARD	£4,235.04	£2,810.33					£7,045.37
WILLIAMS, ALAN	£4,235.04						£4,235.04

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**MEMBERS' ATTENDANCES
AT MEETINGS OF THE COUNCIL, CABINET, COMMITTEES AND PANELS**

MUNICIPAL YEAR 2012/13

COUNCIL <i>(met on 8 occasions)</i>			
Ablewhite, J D	8	Guyatt, N J	7
Akthar, S	7	Hansard, A	5
Baker, K M	8	Harlock, G J	8
Baker, M G	6	Harrison, R	7
Banerjee, Mrs M	8	Harty, D	8
Bates, I C	8	Howe, R B	6
Boddington, Mrs B E	8	Hyams, C R	7
Bucknell, P L E	8	Jordan, Mrs P A	8
Bull, G	7	Kadewere, P	8
Butler, E R	7	Kadic, Mrs L	8
Carter, R C <i>(from 21/06/12)</i>	7	Longford, Mrs P	7
Cawley, S	7	Mackender-Lawrence, A J	7
Chapman, B S	8	Mitchell, P G	7
Churchill, K J	6	Oliver, M C	8
Clough, W T	2	Pethard, J W G	8
Criswell, S J	7	Reeve, P D	8
Curtis, I J	8	Reynolds, Mrs D C	6
Davies, J W	8	Rogers, T V	7
Dew, D B	8	Sanderson, T D	6
Downes, P J OBE <i>(resigned 12/03/13)</i>	7	Shellens, M F	7
Duffy, Mrs L A	4	Tuplin, R G	8
Farrer, R S	5	Tysoe, D M	8
Fuller, R	7	Ursell, P K	4
Giles, D A	7	Van de Kerkhove, S M	6
Gray, J A	8	West, R J	7
Greenall, S	7	Williams, A H	6

CABINET <i>(met on 11 occasions)</i>			
Ablewhite, J D	10	Gray, J A	11
Chapman, B S	11	Sanderson, T D	11
Guyatt, N J	9	Tysoe, D M	11

CORPORATE GOVERNANCE PANEL <i>(met on 5 occasions)</i>			
Baker, M G	5	Mitchell, P G	4
Butler, E R	5	West, R J	5
Churchill, K J	5	Vacancy	
Harlock, G J	5		

DEVELOPMENT MANAGEMENT PANEL <i>(met on 13 occasions)</i>			
Banerjee, Mrs M	11	Howe, R B	9
Boddington, Mrs B E	12	Longford, Mrs P	11
Bucknell, P L E	13	Mackender-Lawrence, A J	11
Bull, G J	10	Reeve, P D	12
Butler, E R	11	Tuplin, R G	13
Clough, W T	10	Ursell, P K <i>(to 20/02/2013)</i>	5
Dew, D B	13	Van de Kerkhove, S M	7
Farrer, R S <i>(from 20/02/2013)</i>	3	West, R J	12
Guyatt, N J	8		

EMPLOYMENT PANEL <i>(met on 5 occasions)</i>			
Ablewhite, J D	2	Gray, J A	3
Akthar, S	3	Howe, R B	4
Cawley, S	3	Tuplin, R G	5
Downes, P J, OBE <i>(resigned 12 03 13)</i>	4	West, R J <i>(from 20/02/2013)</i>	0
Farrer, R S <i>(to 20/02/2013)</i>	4		

LICENSING AND PROTECTION PANEL <i>(met on 2 occasions)</i>			
Baker, K M	1	Jordan, Mrs P A	1
Curtis, I J	2	Kadic, Mrs L <i>(from 14/11/12)</i>	0
Davies, J W	2	Mackender-Lawrence, A J	1
Farrer, R S <i>(to 20/02/13)</i>	1	Oliver, M C	2
Fuller, R <i>(to 14/11/12)</i>	2	Sanderson, T D	2
Harlock, G J	2	Van De Kerkhove, S M	0
Hyams, C R	2	West, R J <i>(from 20/02/13)</i>	0

LICENSING COMMITTEE <i>(met on 3 occasions)</i>			
Baker, K M	1	Kadic, Mrs L <i>(from 14/11/12)</i>	0
Curtis, I J	3	Jordan, Mrs P A	1
Davies, J W	3	Mackender-Lawrence, A J	2
Farrer, R S <i>(to 20/02/13)</i>	2	Oliver, M C	3
Fuller, R <i>(to 14/11/12)</i>	3	Sanderson, T D	3
Harlock, G J	3	Van De Kerkhove, S M	1
Hyams, C R	2	West, R J <i>(from 20/02/13)</i>	0

OVERVIEW AND SCRUTINY PANEL (ECONOMIC WELL-BEING) <i>(met on 11 occasions)</i>			
Bull, G J	8	Howe, R B	9
Butler, E R	4	Mitchell, P G	10
Duffy, Mrs L A	5	Rogers, T V	9
Greenall, S J	11	Shellens, M	11
Harrison, R	7	Williams, A H	9

OVERVIEW AND SCRUTINY PANEL (ENVIRONMENTAL WELL-BEING) <i>(met on 11 occasions)</i>			
Baker, M G	8	Giles, D A	9
Banerjee, Mrs M	10	Harlock, G J	10
Bates, I C	9	Harty, D	11
Curtis, I	8	Hyams, C R	5
Davies, J W	10	Reynolds, Mrs D C	9

OVERVIEW AND SCRUTINY PANEL (SOCIAL WELL-BEING) <i>(met on 11 occasions)</i>			
Akthar, S <i>(to 20/02/13)</i>	5	Jordan, Mrs P A	8
Baker, K	8	Kadewere, P	11
Carter, R C <i>(from 04/07/12)</i>	7	Kadic, Mrs L <i>(to 14/11/12)</i>	6
Churchill, K J <i>(from 20/02/13)</i>	1	Oliver, M C	11
Criswell, S J	10	Pethard, J W G	11
Fuller, R <i>(from 14/11/12)</i>	4	West, R J	11

STANDARDS COMMITTEE <i>(met on 3 occasions)</i>			
Baker, K M	2	Harlock, G J	3
Boddington, Mrs B E	2	Hansard, A	3
Downes, P J OBE <i>(resigned 12/03/13)</i>	1	Sanderson, T D	2
Duffy, Mrs L A	3		

SENIOR OFFICERS PANEL <i>(met on 3 occasions)</i>			
Ablewhite, J A	3	Clough W T <i>(from 20/02/13)</i>	1
Baker, M G <i>(to 20/02/13)</i>	2	Guyatt, N J	3
Cawley, S	3	Howe, R B	3

NB: This schedule represents the attendance record of Members at District Council meetings. Members' responsibilities in terms of external organisations to which they are appointed by the District Council and duties within respective wards is not recorded. The Report of the Independent Panel (November 2002) estimated that, on average, non-executive Members spent 8.5 hours per week on Council duties.

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