

## COUNCIL ANNUAL GENERAL MEETING

16 May 2013

# 3

7.00 pm – 8.50 pm

Council Chamber, Ebley Mill, Stroud

### Minutes

#### Membership:

Dennis Andrewartha	A	Chas Fellows	P	Nigel Prenter	P
Liz Ashton	P	Paul Hemming	P	Andy Read	A
Dorcas Binns	P	Nick Hurst	P	Mark Rees	P
Rowland Blackwell	P	Haydn Jones	P	Frances Roden	A
Philip Booth	P	John Jones	P	Mattie Ross	P
Tim Boxall	P	Daniel Le Fleming	P	Roger Sanders	A
Chris Brine	P	Graham Littleton	P	Emma Sims	P
Paul Carter	P	Stephen Lydon	P	Paul Smith	P
Molly Cato	P	John Marjoram	P	Ken Stephens	P
Miranda Clifton	P	Brian Marsh	P	Nigel Studdert-Kennedy	P
Nigel Cooper	P	Russell Miles	P	Brian Tipper	P
June Cordwell	P	Stephen Moore	P	Geoff Wheeler	P
Doina Cornell	P	Alan O'Connor	A	Martin Whiteside	P
Gordon Craig	P	Keith Pearson	P	Rhiannon Wigzell	P
Karon Cross	A	Elizabeth Peters	P	Tom Williams	P
Paul Denney	A	Simon Pickering	P	Penny Wride	P
David Drew	P	Gary Powell	P	Debbie Young	P

\*\* = Chair of Council

\* = Vice Chair of Council

P = Present A = Absent

#### **Officers Present**

Chief Executive

Legal Services Manager and  
Monitoring Officer

Democracy Development Manager  
Strategic Head (Tenant Services)

Head of Finance

Principal Marketing Officer

Democratic Services and Elections Officer

#### **CL.001 CHAIR OF COUNCIL**

Councillors Dennis Andrewartha and Mark Rees were nominated for the position of Chair of Council. There were 22 votes for Councillor Andrewartha and 20 votes for Councillor Rees.

**RESOLVED That Councillor Dennis Andrewartha be elected Chair of Council for Civic Year 2013/14.**

In the absence of the Chair, and with the agreement of the Council, Councillor Rees remained in the chair for the next item.

**CL.002**      **VICE-CHAIR OF COUNCIL**

Councillor Mark Rees was nominated for the position of Vice-Chair of Council.

**RESOLVED That Councillor Mark Rees be appointed Vice-Chair of Council for Civic Year 2013/14.**

In the absence of the Chair, the Vice-Chair took the Chair for the duration of the meeting.

**CL.003**      **APOLOGIES**

Apologies for absence were received from Councillors Dennis Andrewartha, Karon Cross, Paul Denney, Alan O'Connor, Andy Read, Frances Roden and Roger Sanders.

**CL.004**      **DECLARATIONS OF INTEREST**

None received.

**CL.005**      **MINUTES**

**RESOLVED That the Minutes of the meeting held on 25 April 2013 are confirmed and signed as a correct record.**

**CL.006**      **ANNOUNCEMENTS**

The Vice-Chair welcomed Councillor Miranda Clifton, newly elected Member for the Cam East Ward and congratulated Councillor Paul Hemming as the new Leader of the Liberal Democrat Group.

The Vice-Chair announced the imminent departure of Amanda Taylor, Civic Office Co-ordinator, who would be leaving the authority to start a new business venture. She had worked extremely hard and was a stalwart employee of the authority. The Council joined the Vice-Chair in relaying their best wishes.

**CL.007**      **ADOPTION OF THE CONSTITUTION AND MEMBERS' SCHEME OF ALLOWANCES**

The Leader of the Council presented the report which sought approval of the revisions to the Council's Constitution as set out in Appendix 1, together with the determination of a Members' Scheme of Allowances, following consideration of the report of the Independent Remuneration Panel at Appendix 2.

**(i) Constitution**

The following amendments were suggested:

**Page, 10 – Service Committees, 3<sup>rd</sup> bullet point.**

Amend to read “Engagement with business, statutory, voluntary and community sectors”.

**Delegations to Officers**

**Insert at page 49**

**Head of Cultural Services**

To set and vary fees and charges in relation to:

Facilities in relation to Ebley Mill, Joint Use Centres, Stratford Park Leisure Centre (wet side only), Shambles Market, Cornhill Market, Dursley Pool and Sports Centre, Subscription Rooms and TIC (also responsible for Old Town Hall), Museum in the Park, Sport and Health Development and Healthy Lifestyles Schemes including Kapers Children’s play scheme and Public Spaces.

Dursley Pool and Sports - Food and beverage vending prices, incentives/concessions/offers/merchandising if covered within the business/service plan.

Subscription Rooms and TIC - Food and beverage prices, splits with promoters on performances, incentives/concessions/offers in line with the business/service plan.

Museum in the Park – Food and beverage prices, shop/merchandising and, exhibition hire prices – in line with the business/service plan.

Sport and Health Development – specific events such as Generation Games.

Public Spaces - specific events at Stratford Park/Court.

A Member pointed out that the above fees and charges had previously been set and varied in consultation with the relevant Executive Member. He felt that the above delegation should be amended so that the Officer would set the fees and charges in consultation with the appropriate Committee Chair.

**Review of the Constitution**

A Member referred to the review of the Constitution to take place later this year and the need for this work to start now via a process that would engage all Members. The Leader confirmed that the Committee Structure Working Group had to date, only reviewed those areas of the Constitution necessary to progress the new Committee Structure.

The Leader agreed that there should be a formal procedure established to review the Constitution and this should be considered at the first meeting of the Strategy and Resources Committee.

The Leader proposed that the Constitution set out in Appendix 1 is adopted, subject to the amendments proposed above. This was seconded by Councillor Chris Brine and on being put to the vote was carried overwhelmingly.

**RESOLVED To adopt the Constitution detailed in Appendix 1, subject to the amendments set out above.**

**(ii) Members' Scheme of Allowances**

In presenting the report, the Leader thanked the Independent Remuneration Panel for the work it had undertaken to develop the new Members' Allowances Scheme in accordance with the new decision making structure. He felt the allowances aligned well with the new structure, together with Members' roles and responsibilities and that it was appropriate to increase the basic allowance for all Members. The new Scheme had produced an overall annual saving of over £50,000.

The Committee Structure Working Group had ensured that there was more scope for opposition group Members to participate in decision making as Chairs or Vice-Chairs.

The Leader proposed the following amendments which were seconded by Councillor Keith Pearson:

**Page 2 – Definition of Opposition Groups**

Amend paragraph to read "For a political group to be considered an Opposition Group (Main or Other), then no Members of that group should be a Chair or Vice-Chair of the service committees – in that context their group is not in opposition". Similarly that this should be reflected in the first sentence of paragraph 79, page 20 and omit the rest of the paragraph.

**Delete paragraph 80, page 20** and renumber subsequent paragraphs accordingly.

**Amend the first bullet point of paragraph 73**, page 19 so that the SRA paid to the Vice-Chair of the Strategy and Resources Committee and 3 other Service Committees is £2,000, to also be reflected in the Executive Summary on page 1.

The following points were raised during debate:

- A Member expressed disquiet at the proposed reduction in allowance for the Chair of Council who was the Civic Head of the authority and also at the 'demotion' of the Chair of the Audit and Standards Committee. Reference was made to the inaccuracy concerning the number of Audit and Standards Committee meetings stated in paragraph 62, which had never been as high as 8 meetings per year. It was suggested that the SRA for the Chair of the Audit and Standards Committee be restored to its previous level. The Leader undertook to investigate the matter before the next meeting of the Audit and Standards Committee.
- It was noted that the total annual allowances paid in 2011 had been £124,000 and £122,000 in 2012. A Member felt that the allowances proposed in line with the Committee Structure would be difficult to adjust in future.
- Whilst the savings proposed were welcomed, some Members felt that the increases proposed would not be well received by the taxpayer. Attention was drawn to the fact that the Panel's recommendations could only be based on partial knowledge and for that reason it was considered that the increases should take effect in 2014-15 when historical evidence would be available. On this basis Councillor Debbie Young proposed an amendment that the increase in Members' basic allowance is capped at a maximum of 1% in line

with the public sector and government increase. This was seconded by Councillor Paul Carter.

- Acknowledging the discontent amongst some Members on the increase proposed, other Members reminded the Council that this had been achieved with a £55,000 saving. Notwithstanding this, it was explained that a 'pay rise' for Councillors was a misconception when payments had in fact been frozen in line with those for 2012. The variations to the allowances had been undertaken to reflect the shift in responsibilities within the new structure and consequently a redistribution of monies between accounts.

In accordance with paragraph 8.5.10 of the Constitution, Councillor Stephen Moore proposed 'that the question be now put'. This was seconded by Councillor Stephen Lydon and on being put to the vote was carried with 24 votes in favour, 19 votes against and 1 abstention.

During her right of reply, Councillor Young explained that an increased basic allowance from £4,616 to £5,000 would equate to an additional £384 per Councillor (8.3%). No increase to the basic allowance would provide a saving of £19,584, giving a total annual saving in the region of £75,000.

On the amendment being put to the vote it was lost with 20 votes in favour, 24 votes against and no abstentions.

The original Motion, incorporating the amendments proposed by the Leader, having been seconded, was put to the vote and was carried with 24 votes in favour, 2 against and 18 abstentions.

**RESOLVED To approve the Members' Scheme of Allowances as set out in Appendix 2, subject to the amendments proposed by the Leader above.**

**CL.008 APPOINTMENT OF COUNCILLORS TO COMMITTEES AND APPOINTMENT OF INDEPENDENT PERSONS**

**(a) Appointment of the Membership and Chairs and Vice-Chairs of Committees and other Structures**

A schedule of the Members proposed to be nominated to various committees in accordance with the proportionality rules and consequent political balance figures to be applied (where applicable), to the Council's Committees in 2013/14, had been circulated to all Members prior to the meeting. Nominations for Chairs and Vice-Chairs for each Committee would also be considered.

**RESOLVED That the following Councillors be appointed to the Committee positions, together with Chair and Vice-Chair positions for 2013/14:**

**Allocations to Committees subject to political balance requirements****Community Services Committee (12 Members)****Councillor June Cordwell (Chair)****Councillor Karon Cross (Vice-Chair)**

Councillor Rowland Blackwell

Councillor Tim Boxall

Councillor Miranda Clifton

Councillor John Jones

Councillor Stephen Lydon

Councillor John Marjoram

Councillor Russell Miles

Councillor Nigel Prenter

Councillor Paul Smith

Councillor Penny Wride

**Environment Committee (12 Members)****Councillor Simon Pickering (Chair)****Councillor Paul Smith (Vice-Chair)**

Councillor Liz Ashton

Councillor Paul Denney

Councillor Chas Fellows

Councillor Nick Hurst

Councillor Haydn Jones

Councillor Graham Littleton

Councillor Stephen Moore

Councillor Roger Sanders

Councillor Brian Tipper

Councillor Martin Whiteside

**Housing Committee (12 Members)****Councillor Mattie Ross (Chair)****Councillor Chris Brine (Vice-Chair)**

Councillor Philip Booth

Councillor Gordon Craig

Councillor Paul Hemming

Councillor Brian Marsh

Councillor Liz Peters

Councillor Gary Powell

Councillor Frances Roden

Councillor Emma Sims

Councillor Tom Williams

Councillor Debbie Young

**Strategy and Resources Committee (13 Members)****Councillor Geoff Wheeler (Chair)****Councillor Doina Cornell (Vice-Chair)**

Councillor Dorcas Binns

Councillor Molly Cato

Councillor Paul Carter

Councillor Nigel Cooper

Councillor June Cordwell

Councillor Paul Hemming

Councillor Keith Pearson

Councillor Simon Pickering

Councillor Mattie Ross

Councillor Tom Williams

Councillor Rhiannon Wigzell

**Audit and Standards Committee (9 Members)****Councillor Molly Cato (Chair)****Councillor Nigel Studdert-Kennedy  
(Vice-Chair)**

Councillor Chris Brine

Councillor Paul Carter

Councillor Paul Denney

Councillor Alan O'Connor

Councillor Keith Pearson

Councillor Roger Sanders

Councillor Rhiannon Wigzell

**Development Control Committee (12 Members)**

**Councillor Ken Stephens (Chair)**  
**Councillor John Marjoram (Vice-Chair)**  
Councillor Liz Ashton  
Councillor Dorcas Binns  
Councillor Rowland Blackwell  
Councillor Nigel Cooper

Councillor David Drew  
Councillor Paul Hemming  
Councillor Haydn Jones  
Councillor Graham Littleton  
Councillor Stephen Moore  
Councillor Martin Whiteside

**Licensing Committee (11 Members)**

**Councillor Gary Powell (Chair)**  
**Councillor Brian Marsh (Vice-Chair)**  
Councillor Miranda Clifton  
Councillor Karon Cross  
Councillor Chas Fellows  
Councillor John Jones

Councillor Daniel Le Fleming  
Councillor Liz Peters  
Councillor Nigel Prenter  
Councillor Andy Read  
Councillor Brian Tipper

**Allocations to Committees and other bodies not subject to political balance requirements**

**RESOLVED** That the following appointments are made to Committees and Panels not subject to political balance requirements, for the Civic Year 2013/14:

**Stroud Council Housing Forum**

(Chair and Vice-Chair of Housing, plus one seat to each political group not already represented)

Councillor Chris Brine  
Councillor Philip Booth  
Councillor Brian Marsh  
Councillor Mattie Ross  
Councillor Debbie Young

**Health, Community and Care Scrutiny Committee (Gloucestershire) (Lead) (1)**

Councillor David Drew

**Health, Community and Care Scrutiny Committee (Gloucestershire) (Substitute) (1)**

Councillor Paul Smith

**Gloucestershire Police and Crime Panel (Lead) (1)**

Councillor Roger Sanders

**Gloucestershire Police and Crime Panel (Substitute) (1)**

Councillor Mark Rees

**(b) Appointment of Independent Persons**

The Leader presented the circulated report, the purpose of which was to appoint Independent Persons as required by the Localism Act 2011 following the introduction of the new standards regime. He proposed that the four candidates recommended be appointed as Independent Persons and that the retired Independent Persons be thanked for the work they had undertaken for Councils throughout the District.

The Legal Services Manager and Monitoring Officer explained the background and process for the appointments and referred to the details of each of the six candidates within the report, which both he and the Chief Executive had met. Legislation required a minimum of one Independent Person. The recommendation was for four Independent Persons, the reasons for which had been set out in paragraph 1.5 of the report. In addition, it was suggested that the retiring Independent Persons should be thanked for their service and work undertaken for Councils and Councillors within the Stroud District.

The Motion was seconded by Councillor Chris Brine.

The Legal Services Manager and Monitoring Officer confirmed that the candidates being recommended by the Chief Executive and Monitoring Officer were on the basis of previous experience and following a meeting with each to ascertain their suitability.

Having noted that only one female had been part of the process and recommended as a candidate, a Member felt that the gender imbalance should be addressed. She supported the appointment of the candidates for one year, during which time she considered that further work should be undertaken to encourage more females to come forward as candidates for Independent Persons. The Legal Services Manager and Monitoring Officer clarified that only two females had expressed an interest and one had withdrawn from the process. Notwithstanding this, he would try to address such imbalance during future appointment processes.

Councillor Mattie Ross proposed an amendment to part (1) of the decision so that the candidates were appointed for one year only. The amendment was seconded by the Leader.

In acknowledging the difficulties associated with appointing people to these roles and for the purposes of continuity and operational aspects, a Member felt that the three year appointments proposed were both right and reasonable. Another Member stated that it would be wrong to appoint the candidates for a lesser period than was stated to them at the outset.

Other Members expressed their support for the amendment stating that it would allow the Council to approach the wider community and other organisations within the first year to support future appointments.

On being put to the vote the amendment was carried with 26 votes for, 9 against and 9 abstentions.



The substantive Motion was put to the vote and carried by 33 votes in favour with 9 abstentions.

**RESOLVED (1) That the following four candidates be appointed as Independent Persons for Stroud District Council for one year:**

**John Acton  
Richard Cockroft  
Christopher Eskell  
Phyllida Pyper**

**(2) That the retiring Independent Persons be thanked for the work they have undertaken for Councils throughout the District.**

Councillor Chas Fellows wished it recorded that he had voted against the Motion.

**CL.009      CIVIC TIMETABLE 2013/14**

In presenting the draft timetable of meetings proposed for 2013/14, the Leader drew Members' attention to suggested updates to meetings as follows:

<b>Meeting</b>	<b>Current Draft Date</b>	<b>Proposed Date</b>
Development Control Committee	11 June 2013	18 June 2013

<b>Meeting</b>	<b>Proposed Additional Date</b>
Environment (Local Plan)	8 July 2013
Strategy and Resources (Local Plan)	10 July 2013

In addition to the above, Members expressed concerns at meetings taking place within school holiday periods, specifically the Council meeting currently scheduled for 25 July 2013. It was suggested that the Council meeting should be brought forward to 18 July 2013.

A Member pointed out that there were also a number of weeks where more than one meeting was taking place and this could place pressure upon some Members. The Leader agreed that he would look for instances within the timetable where this occurred.

**RESOLVED To approve the civic timetable for 2013/14, to incorporate the changes outlined above.**

**CL.010      CIVIC FUND EXPENDITURE**

**RESOLVED To note the breakdown of expenditure totalling £13,679 for the Civic Fund during 2012/13.**

The meeting closed at 8.50 pm.

**Chair of Council**