

## MID SUFFOLK DISTRICT COUNCIL

Minutes of the Council meeting of the **MID SUFFOLK DISTRICT COUNCIL** held at the Council Offices, Needham Market on 22 December 2016 at 5:30 pm

### PRESENT:

Councillors:	Roy Barker	Sarah Mansel
	Gerard Brewster	Wendy Marchant
	David Burn	John Matthissen
	Rachel Eburne	Suzie Morley
	Paul Ekpenyong	Dave Muller
	John Field	Mike Norris
	Julie Flatman	Derek Osborne
	Jessica Fleming	Penny Otton
	Elizabeth Gibson-Harries	Timothy Passmore
	Nick Gowrley	Jane Storey
	Lavinia Hadingham	Andrew Stringer
	Derrick Haley	Keith Welham
	Matthew Hicks	Kevin Welsby
	Glen Horn	John Whitehead
	Diana Kearsley	David Whybrow
	Anne Killett	Jill Wilshaw
	John Levantis	

### In attendance:

Head of Paid Service  
Deputy Chief Executive  
Interim Strategic Director (KJ)  
Interim Assistant Director - Law and Governance and Monitoring Officer  
Assistant Director – Investment and Commercial Delivery  
Interim Head of Democratic Services  
Corporate Manager – Financial Services  
Corporate Manager – Commissioning and Procurement  
Governance Support Officer (LS/BN/HH)

**Note:** The Chairman explained the rules and procedures for the Council, members of the public and the press to record/film/photograph or broadcast the meeting when the public and press are not lawfully excluded.

### CL144 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillors James Caston, Charles Flatman, Gary Green, Kathie Guthrie, Barry Humphreys MBE, Esther Jewson, and Lesley Mayes.

### CL145 DECLARATIONS OF INTEREST

There were no declarations of interest.

## **CL146 MINUTES OF THE MEETING HELD ON 21 NOVEMBER 2016**

### **Report C/99/16**

The minutes of the meeting held 21 November 2016 were confirmed as a correct record.

By a unanimous vote

### ***RESOLUTION***

*That the Minutes of the meeting held on 21 November 2016 be confirmed as a correct record*

## **CL147 CHAIRMAN'S ANNOUNCEMENTS**

### **Report C/100/16**

The report was noted.

## **CL148 PUBLIC PARTICIPATION SESSION**

No requests had been received.

## **CL149 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION PROCEDURE**

No petitions had been received.

## **CL150 QUESTIONS BY THE PUBLIC**

No questions had been received.

## **CL151 QUESTIONS BY COUNCILLORS**

No questions had been received before the deadline in the Constitution. However, Councillor Nick Gowrley, the Leader of the Council, stated that he would reply to questions raised by Councillor Matthissen.

## **CL152 CHANGE OF GOVERNANCE – ADOPTING THE CABINET – LEADER MODEL**

### **Report C/101/16**

### **Interim Assistant Director – Law and Governance**

Councillors were aware that the Appendix to Report C/101/16 (circulated with the agenda) was a draft version of the Equality Impact Assessment – EIA. A revised version of the EIA was circulated prior to the commencement of the meeting.

Councillor Nick Gowrley, Leader of the Council, introduced Report C/101/16 recommending the adoption of a 'leader-cabinet' form of governance. The recommendation had emerged as part of the on-going strengthening governance review, to support the delivery of a number of the Councils' Joint Strategic objectives as well as providing other benefits as set out in the Rationale for Change in paragraphs 4.9 to 4.12 of the Report.

The recommendations as set out in 2.1 and 2.2 of Report C/101/16 were proposed and seconded by Councillors Nick Gowrley and Jane Storey respectively, with a correction to the paragraphs numbers 6.1 – 6.8 referred to in 2.2 to read ‘11.1 – 11.4.’

In response to questions raised prior to the commencement of the debate, Councillor Gowrley clarified various matters including the next steps in the process if the recommendations were accepted at the meeting. He informed Councillors that the design of an open, transparent and collaborative model would be the subject of detailed consideration by the Strengthening Governance Task and Finish Group and confirmed that the following would be among the aspects to be considered:

- The make-up of the Cabinet
- Whether the Chair of the Scrutiny Committee should be from the opposition
- How to achieve a strong scrutiny role

During the ensuing debate, Councillors considered how the proposed change would assist in swifter and more agile decision-making without having an adverse effect on the quality of decisions, and whether there would be the potential for an increased number of call-ins, which might prolong the length of time to reach a decision. Some expressed concern about making a decision on the information before them because of having insufficient details but Councillor Gowrley reiterated that the design of the model was the next stage in the process, once the principle of moving to leader-cabinet had been established.

A demand for a recorded vote was received, in accordance with Council Procedure Rule 18.5.

The result of the recorded vote was as follows:-

<u>For the Motion</u>	<u>Against the Motion</u>	<u>Abstentions</u>
Roy Barker	Rachel Eburne	None
Gerard Brewster	John Field	
David Burn	Anne Killett	
Paul Ekpenyong	Sarah Mansel	
Julie Flatman	Wendy Marchant	
Jessica Fleming	John Matthiessen	
Elizabeth Gibson-Harries	Mike Norris	
Nick Gowrley	Penny Otton	
Lavinia Hadingham	Andrew Stringer	
Derrick Haley	Keith Welham	
Matthew Hicks		
Glen Horn		
Diana Kearsley		
John Levantis		
Suzie Morley		
David Muller		
Derek Osborne		
Timothy Passmore		
Jane Storey		
Kevin Welsby		
John Whitehead		
David Whybrow		
Jill Wilshaw		

Twenty three Councillors voted in favour of the recommendations in Report C/101/16, with the minor correction referred to above. There were ten votes against, with no abstentions.

### **RESOLUTION 1**

*That the 'leader-cabinet' form of governance be adopted, effective from the May 2017 Annual meeting of the Council, in accordance with the provisions of the Localism Act 2011*

### **RESOLUTION 2**

*That the suggested implementation and approach as set out in Paragraph 11 of Report C/101/16, the subsequent wider cultural change and new ways of working, in advance of the May 2017 Annual Council meetings be approved*

## **CL153 DRAFT TIMETABLE OF MEETINGS 2017/18**

### **Report C/102/16**

### **Interim Head of Democratic Services**

Councillor Glen Horn introduced Report C/102/16, asking Councillors to note the draft Timetable which would be subject to change, following the decision taken in Minute No CL152 above, and the forthcoming move to Endeavour House.

Councillor Penny Otton asked that, wherever possible, the Suffolk County Council meetings which involved 'twin hatters' would be taken into account and Councillor Horn confirmed that this would be done. In this connection, Councillor John Field referred to a clash of the May 2017 Annual Council meeting date with the Annual Meeting of Suffolk County Council, and it was noted that this would need to be addressed.

Councillor Horn proposed, and Councillor Roy Barker seconded, a motion to note the Draft Timetable.

By a unanimous vote

### **RESOLUTION**

*That the Draft Timetable of Meetings 2017/18 (Report C/102/16) be noted.*

## **CL154 LEADER'S REPORT**

The Leader, Councillor Nick Gowrley, provided an update on the Public Access and Accommodation Programme, including recent visits by Councillors and Officers to Endeavour House and the introduction of new telephony in early 2017.

In response to a request from a Councillor, he confirmed that he would provide a copy of the update to all Councillors and that wherever practicable a written update would accompany the agenda in future. It was noted that the Annual Council meeting in May 2017 would be re-scheduled because of a clash of dates with Suffolk County Council's Annual meeting.

He also replied to Councillor Matthissen's question, originally asked at the meeting on 31 October, as follows:

### **Question**

Why do we not rent private flats in Mid Suffolk when we have no emergency accommodation? The Council is now in breach of the Homelessness (Suitability of Accommodation) (England) Order 2003 (2003/3326) and currently continues to illegally house at least one family of four in temporary accommodation, 2 weeks beyond the statutory maximum of 6 weeks, now more than 8 weeks in total.

### **Answer**

There will be a report to the Executive Committee on the new Homelessness Act. In the meantime, the family which was housed in temporary accommodation beyond the legal deadline has now been re-housed and there are no other families whose stay has exceeded the deadline.

## **CL155 JOINT SCRUTINY COMMITTEE REPORT**

**Report C/103/16**

**Councillor Rachel Eburne**

The report was received. Councillor Rachel Eburne, Chairman of Joint Scrutiny, referred to the date of the next meeting, which is scheduled for 15 February 2017.

## **CL156 NOTICE OF MOTION**

**Councillor Rachel Eburne**

A motion as set out below was proposed by Councillor Rachel Eburne and seconded by Councillor Nick Gowrley, the requisite notice thereof having been given in accordance with Council Procedure Rule No. 13. Councillor Eburne in proposing the Notice of Motion referred to an addition to the Motion which both she and Councillor Gowrley supported, and the Interim Assistant Director - Law and Governance and Monitoring Officer confirmed that the Motion could be altered by consent.

Motion Proposed by Councillor Rachel Eburne

“That in the interest of openness, transparency and accountability, this Council receives:

- i) on at least a quarterly basis, from all Portfolio Holders and Members with Special Responsibilities, a report on the content of the Portfolio Holder Briefings or equivalent, and;
- ii) on an annual basis, from all Members that represent the Council on external bodies a report on the full account of that work”

*Addition to motion*

- iii) on each occasion any Member attending seminars or conferences paid for by Mid Suffolk District Council to report back

*The Chairman of the meeting exercised her discretion to allow the motion to be dealt with at the meeting.*

By a unanimous vote

### **RESOLUTION**

**That in the interest of openness, transparency and accountability, this Council receives:**

- i) on at least a quarterly basis, from all Portfolio Holders and Members with Special Responsibilities, a report on the content of the Portfolio Holder Briefings or equivalent,
- ii) on an annual basis, from all Members that represent the Council on external bodies a report on the full account of that work *and*
- iii) on each occasion any Member attending seminars or conferences paid for by Mid Suffolk District Council to report back

#### **CL157 RESOLUTION TO EXCLUDE THE PUBLIC**

Under section 100(4) of the Local Government Act 1972 the public were excluded from the meeting for the following item on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act in the paragraphs registered against the item:

<i>Item</i>	<i>Schedule 12a Reason</i>
CL158	3

#### **CL158 CONFIDENTIAL MINUTES OF THE MEETING HELD ON 21 NOVEMBER 2016 ASSETS AND INVESTMENT STRATEGY**

##### **Report C/104/16**

The confidential minutes of the meeting held on 21 November 2016 were confirmed as a correct record.

The business of the meeting was concluded at 6.45 p.m.

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Chairman