South Northamptonshire Council

Council

Minutes of a meeting of the Council held at The Forum, Moat Lane, Towcester, Northants NN12 6AD on Thursday 30 August 2018 at 6.00 pm.

Present

Councillor Richard Dallyn (Chairman)
Councillor Rosie Herring (Vice-Chairman)
Councillor Robert G. Atkinson
Councillor Anthony S. Bagot-Webb
Councillor Fiona Baker
Councillor Dermot Bambridge
Councillor Sandra Barnes MBE
Councillor Phil Bignell
Councillor Caryl Billingham MBE
Councillor Rebecca Breese
Councillor John Budden J.P.
Councillor Carole Clarke
Councillor Stephen Clarke
Councillor Karen Cooper
Councillor Hywel Davies
Councillor Peter Davies
Councillor Valerie Furniss
Councillor Andrew Grant
Councillor David Harries BEM
Councillor Steven Hollowell
Councillor Gregor Hopkins
Councillor Martin Johns
Councillor Chris Lofts
Councillor Dennis Loveland
Councillor Ian McCord
Councillor Abigail Medina
Councillor Alice Kim Ord
Councillor Ken Pritchard
Councillor Peter Rawlinson
Councillor Jonathan Riley
Councillor Adil Sadygov
Councillor Mary-Anne Sergison-Brooke
Councillor Catharine Tarbun
Councillor Allen Walker
Councillor Elaine Wiltshire
Councillor Paul Wiltshire

Apologies for

Councillor Ann Addison
Councillor Roger Clarke
Councillor Charles Manners
Councillor Lisa Samiotis
Councillor Sandi Smallman
Councillor John Townsend

Officers: Yvonne Rees, Chief Executive
Richard Ellis, Interim Executive Director
James Doble, Assistant Director: Law and Governance / Monitoring Officer
Natasha Clark, Governance and Elections Manager

35 Welcome

The Chairman welcomed Councillor Abigail Medina to her first meeting of Council following her election to the council at the by-election for the Whittlewood ward in June.

36 Declarations of Interest

11. Appointment of Interim Returning Officer and Electoral Registration Officer. Richard Ellis, Declaration, as he was proposed to be appointed as Returning Officer and Electoral Registration Officer for South Northamptonshire Council and would leave the meeting for the duration of the item.

37 Minutes of Council

The minutes of the meeting of Council held on 18 July 2018 were agreed as a correct record and signed by the Chairman.

38 Chairman’s Announcements

October Council Meeting
The Chairman referred to the email that had been sent to Members regarding the change of date of the October Council meeting.

The meeting in October would not take place on Wednesday 17 October. It would take place on Wednesday 31 October instead.

Civic Lunch
The Chairman advised that Members should now have received information about his civic lunch which would be held on Sunday 4 November, at 12.30pm. Members should contact the Chairman’s PA, Dee Fagan, to book their place or for any further information.
Fun Run
The Chairman reminded Members that there was still time to sign up for his charity Fun Run on Sunday 14 October at the Watermeadow, Towcester. Alternatively, Members could come and cheer participants on.

The Fun Run would raise funds for his chosen charities, Willen Hospice, Milton Keynes; Katharine House, Banbury; and, Cynthia Spencer Hospice, Northampton.

Post
The Chairman reminded Members to collect any post from pigeon holes.

Written Questions
There were no written questions.

Motions
Impact of Northamptonshire County Council Service Decisions on Communities across South Northamptonshire
It was proposed by Councillor Lofts and seconded by Councillor Johns that the following motion be adopted:

“The well documented financial problems being experienced by Northamptonshire County Council are set to impact on key services for residents across South Northamptonshire. So far there are little details about how existing services will change however, given the strong likelihood that unitary councils will replace the current structure, this council has a vested interest in maintaining a strong service infrastructure in the district. Experience also shows that when services are reduced or withdrawn the impact is quickly felt but it takes much longer to rebuild the same service. The result is that vulnerable residents suffer over a long period.

Northamptonshire County Council have stated that they will look to other public service providers to assist in delivering certain services over the coming months. It follows, therefore, that South Northamptonshire Council closely monitors the situation as it evolves and assesses the impact on local communities. There may be operational, legal or financial barriers and constraints that restrict the ability of this council to take on traditional county council services, but we should commit to looking at options as they arise.

Council is asked, therefore to agree the following:

Council asks the Interim Chief Executive to closely monitor the impact of Northamptonshire County Council service decisions on communities across South Northamptonshire. Council also asks the Interim Chief Executive to report to Council on a regular and timely basis the options available to Council to maintain or enhance existing county council service levels thereby protecting the most vulnerable across our district.”

On being put to the vote the motion was lost and subsequently fell.
Announcements by the Leader of the Council

The Leader advised Council that this was be the Chief Executive, Yvonne Rees’, last meeting in light of the separation of South Northamptonshire Council and Cherwell District Council and she would cease in the role on 30 September 2018.

On behalf of Council, the Leader presented the Chief Executive with a bouquet of flowers and thanked her for her hard work for the council and in particular, for the advice and guidance she had provided. The Leader wished the Chief Executive all the best in her ongoing role as Chief Executive for Cherwell District Council and her new role as Chief Executive at Oxfordshire County Council.

The Chief Executive thanked the Leader commenting that she had enjoyed her time working at SNC and felt that with the Members much had been achieved building on the foundations of shared working and new ways of working. She would continue to work with Richard Ellis when he took up the role of Interim Chief Executive to support SNC as separation from CDC and local government reform progressed. The Chief Executive wished members and the SNC all the best for the future and in the transition to a unitary.

Questions to the Leader of the Council

There were no questions to the Leader.

Local Government Reform in Northamptonshire - Secretary of State Invitation

The Chief Executive submitted a report for Council to determine whether to submit a proposal to the Secretary of State for the reorganisation of local government in Northamptonshire and to endorse next steps accordingly.

In introducing Councillor McCord, explained that it was with a heavy heart that he was proposing the recommendations that the Council agree to respond to the Secretary of State’s invitation and submit the ‘Northamptonshire Local Government Reform Proposal’. By supporting the submission, SNC would be acting in the best interest of its residents by helping to shape the future of the county.

Councillor McCord advised a minor amendment to recommendation 1.3 whereby the delegation to the Chief Executive to deploy resources would be in consultation with the Leader. Councillor McCord also requested that a recorded vote be taken separately on each recommendation.

In considering the report, a number of members addressed Council with comments made both in favour and against the proposals.

Further to the request, a recorded vote was taken separately on each recommendation and members voted as follows:
Recommendation 1.1
Councilor Atkinson
Councilor Bagot-Webb
Councilor Baker
Councilor Bambridge
Councilor Barnes
Councilor Bignell
CouncilorBillingham
Councilor Breese
Councilor Budden
Councilor Carole Clarke
Councilor Stephen Clarke
Councilor Cooper
Councilor Dallyn
Councilor Hywel Davies
Councilor Peter Davies
Councilor Furniss
Councilor Grant
Councilor Herring
Councilor Hollowell
Councilor Hopkins
Councilor Johns
Councilor Lofts
Councilor Loveland
Councilor McCord
Councilor Medina
Councilor Ord
Councilor Pritchard
Councilor Rawlinson
Councilor Riley
Councilor Sadygov
Councilor Sergison-Brooke
Councilor Tarbun
Councilor Walker
Councilor Elaine Wiltshire
Councilor Paul Wiltshire

Recommendation 1.2
Councilor Atkinson
Councilor Bagot-Webb
Councilor Baker
Councilor Bambridge
Councilor Barnes
Councilor Bignell
CouncilorBillingham
Councilor Breese
Councilor Budden
Councilor Carole Clarke
Councilor Stephen Clarke
Councillor Cooper For
Councillor Dallyn For
Councillor Hywel Davies For
Councillor Peter Davies For
Councillor Furniss For
Councillor Grant For
Councillor Harries Abstain
Councillor Herring For
Councillor Hollowell Against
Councillor Hopkins For
Councillor Johns Against
Councillor Lofts Against
Councillor Loveland For
Councillor McCord For
Councillor Medina Against
Councillor Ord Against
Councillor Pritchard For
Councillor Rawlinson For
Councillor Riley For
Councillor Sadygov For
Councillor Sergison-Brooke For
Councillor Tarbun Against
Councillor Walker For
Councillor Elaine Wiltshire For
Councillor Paul Wiltshire For

Recommendation 1.3
Councillor Atkinson Abstain
Councillor Bagot-Webb For
Councillor Baker For
Councillor Bambridge For
Councillor Barnes For
Councillor Bignell For
Councillor Billingham For
Councillor Breese For
Councillor Budden For
Councillor Carole Clarke For
Councillor Stephen Clarke For
Councillor Cooper For
Councillor Dallyn For
Councillor Hywel Davies For
Councillor Peter Davies For
Councillor Furniss For
Councillor Grant For
Councillor Harries For
Councillor Herring For
Councillor Hollowell For
Councillor Hopkins For
Councillor Johns For
Councillor Lofts For
Councillor Loveland For
Councillor McCord For
Councillor Medina For
Councillor Ord For
Councillor Pritchard For
Councillor Rawlinson For
Councillor Riley For
Councillor Sadygov For
Councillor Sergison-Brooke For
Councillor Tarbun For
Councillor Walker For
Councillor Elaine Wiltshire For
Councillor Paul Wiltshire For

Recommendation 1.4
Councillor Atkinson Abstain
Councillor Bagot-Webb For
Councillor Baker For
Councillor Bambridge For
Councillor Barnes For
Councillor Bignell For
Councillor Billingham For
Councillor Breese For
Councillor Budden For
Councillor Carole Clarke For
Councillor Stephen Clarke For
Councillor Cooper For
Councillor Dallyn For
Councillor Hywel Davies For
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Councillor Ord For
Councillor Pritchard For
Councillor Rawlinson For
Councillor Riley For
Councillor Sadygov For
Councillor Sergison-Brooke For
Councillor Tarbun For
Councillor Walker For
Councillor Elaine Wiltshire For
Resolved

(1) That, having given due consideration, it be agreed that Council determine that it wishes to respond to the Secretary of State’s invitation.

(2) That Council having resolved to respond to the Secretary of State’s invitation and at least one other Northamptonshire principal council having signed up to it, Council submits the ‘Northamptonshire Local Government Reform Proposal’.

(3) That subject to the submission of the ‘Northamptonshire Local Government Reform Proposal’ by South Northamptonshire Council and other councils in the county, the Chief Executive’s deployment of resources required to progress work on the next steps including those ahead of any decision by the Secretary of State, up to a maximum of £500k to be taken from existing budgets and/or reserves, be endorsed and that it be noted this deployment be in consultation with the Leader.

(4) That in light of agreement to the submission of the ‘Northamptonshire Local Government Reform Proposal’ by South Northamptonshire Council and other councils in the county, the interim governance structure of a Northamptonshire Central Programme Team overseeing a West Northamptonshire Project Board and a North Northamptonshire Project Board for the preparatory phase leading up to shadow authorities be approved.

Constitutional Amendments: Amendments to Personnel Related Committees

The Assistant Director: Law and Governance / Monitoring Officer submitted a report to agree amended terms of reference for the Appointments and Personnel Committee and Appeals Committee and to re-establish an SNC Council and Local Employee Joint Committee.

Resolved

(1) That the amended terms of reference for the Appointments and Personnel Committee (annex to the Minutes as set out in the Minute Book) be adopted.

(2) That, subject to the correction of typographical errors, the amended terms of reference for the Appeals Committee (annex to the Minutes as set out in the Minute Book) be adopted.

(3) That it be agreed to re-establish the Council and Local Employee Joint Committee and, subject to the correction of typographical errors, the terms of reference for the Committee (annex to the Minutes as set out in the Minute Book) be adopted.
That the Monitoring Officer be authorised to make any consequential amendments to the constitution arising from resolutions (1), (2) and (3).

That the current membership of the Appeals Committee be noted and, subject to the following amendment to the membership of the Appointments and Personnel Committee by the Conservative Group Leader, the membership of the Appointments and Personnel Committee be noted: Remove Councillor Stephen Clarke, Add Councillor Ian McCord.

That the current membership of the Council and Local Employee Joint Committee be noted and the following additional representatives to the membership as proposed by Conservative Group Leader and Independent Group Spokesperson be noted: Add Councillor Ann Addison and Councillor Caryl Billingham.

Appointment of Interim Returning Officer and Electoral Registration Officer

The Chief Executive submitted a report to appoint an Interim Returning Officer and Interim Electoral Registration Officer.

Resolved

(1) That, in accordance with Section 8 of the Representation of the People Act 1983 and all related legislation, and with effect from 1 December 2018, Richard Ellis be appointed as Interim Electoral Registration Officer for South Northamptonshire Council.

(2) That, in accordance with Section 35 of the Representation of the People Act 1983 and all related legislation, and with effect from 1 October 2018, Richard Ellis be appointed as Interim Returning Officer for South Northamptonshire Council with authority to act in that capacity for elections to the Council and all parish and town councils within the area of the council.

(3) That with effect from 1 October 2018 Richard Ellis be also appointed or authorised to act in respect of all related electoral, polling or referendum duties, including in relation to County Council elections, elections to the European Parliament, and for national and regional polls or referendums and be authorised to exercise all delegated powers of the Returning Officer and Electoral Registration Officer as set out in the constitution.

(4) That, in relation to the duties of Returning Officer or any other electoral, referendum or polling duties arising from such appointment, the Returning Officer shall be entitled to be remunerated in accordance with the scale of fees approved from time to time by Council for local elections, or the relevant scale of fees prescribed by a Fees Order in respect of national, regional or European Parliament elections, polls or referendums.

(5) That in all cases where it is a legal requirement or normal practice to do so, the Returning Officer may elect for such fees to be superannuable, and the
Council shall pay the appropriate employer's contribution to the superannuation fund, recovering such employer's contributions from central government or other local authorities or agencies where this can be done.

(6) That, in relation to the conduct of local authority elections and polls, and elections to the United Kingdom Parliament, and all other electoral duties where the Councils are entitled by law to do so, they shall take out and maintain in force insurance indemnifying the Councils, the Electoral Registration Officer and the Returning Officer against legal expenses reasonably incurred in connection with the defence of any proceedings brought against the Councils, Electoral Registration Officer or the Returning Officer and/or the cost of holding another election in the event of the original election being declared invalid (provided that such proceedings or invalidation are the result of the inadvertent contravention of the Representation of the People Acts or other legislation governing the electoral process, and (provided that, in the case of the Electoral Registration Officer and the Returning Officer, such proceedings or invalidation arise from an act or omission which the Officer reasonably believes is within the Officer's powers).

(7) That, in the event of such insurance carrying an 'excess' clause by which an initial portion of risk is not insured, the Councils, through their internal insurance fund or otherwise, will indemnify the Electoral Registration Officer and Returning Officer up to the value of such excess.

(8) That the Council notes its duty to provide support to the Electoral Registration Officer and Returning Officer.

46 Local Government Ombudsman Annual Report 2017/18

The Assistant Director: Law and Governance / Monitoring Officer submitted a report to provide Council with the Local Government Ombudsman’s annual report on South Northamptonshire Council for the financial year 2017/18.

Resolved

(1) That the report be noted.

47 Urgent Business (previously agreed with the Chairman)

There were no items of urgent business.

The meeting closed at 7.40 pm

Chairman:

Date: