

## **BOROUGH OF TELFORD & WREKIN**

### **Minutes of a meeting of the Borough of Telford & Wrekin held on Thursday, 29 April, 2010 at 6.30 p.m. at the Civic Offices, Telford.**

#### **PRESENT:**

Councillors I.T.W. Fletcher (Speaker), G. Ashcroft, D.W.D. Ashley, R.K. Austin, R. Aveley, S. Bentley, K.T. Blundell (Mayor), S.P. Burrell, E.J. Carter, D.R. Chaplin, R.G. Chaplin, E.A. Clare, J.A. Dixon, N.A. Dugmore, A.J. Eade (Leader), V.A. Fletcher, J.A. Francis, G.M. Green, E.J. Greenaway, R.E. Groom, Y.C. Hicks, P.A.E. Homer, T.J. Hope, M.B. Hosken, G.P. Hossell, S.M. Kelly, R.T. Kiernan, A. Lawrence, L. Lomax, A.A. Mackenzie, A.D. McClements, A.A. Meredith, J.C. Minor, C.P.R. Mollett, F.R. Picken, H. Rhodes, K.S. Sahota, J.M. Seymour, C.F. Smith, A.J. Stanton, E.M. Swift, K.L. Tomlinson, W.L. Tomlinson, H.J. Unwin, V. Tonks, R.M. Tyler, D.R.W. White, A.G.P. Williams, H.J. Williams and D.G. Wright

#### **99. PRAYERS**

The Reverend Peter Clark, Vicar of Wellington Methodist Church, led Members in prayer.

#### **100. MINUTES OF THE COUNCIL**

**RESOLVED** – that the minutes of the meeting of the Borough Council held on 4 March 2010, be confirmed and signed by the Speaker.

#### **101. APOLOGIES FOR ABSENCE**

Councillors D.G. Allen, C.N. Mason, M.J. Smith and R.A. Overton.

#### **102. DECLARATIONS OF INTEREST**

None.

#### **103. ANNOUNCEMENTS**

##### **(a) Mayoral Engagements**

The Mayor briefly updated Members on her recent engagements. She highlighted her recent visits to the Army Recruitment Centre in Telford Town Centre and to the Black African Gospel Songs evening in Wellington. Members noted the engagements undertaken by the Mayor or the Deputy Mayor between 25<sup>th</sup> February and 18<sup>th</sup> April 2010.

**(b) Presentations/Awards**

i) The Mayor, on behalf of the Council, presented a gift to Andy Simpson, retiring Independent Chairman of Standards Committee, in recognition of his eleven years of service to the Committee.

ii) The Mayor told Members that the achievement of the primary level of the West Midlands Development Charter in October 2010 had demonstrated the Council's commitment to the development of councillors. Certificates were presented to all those Members who had attended the programme of development activities during the previous twelve months. Exemplary certificates were presented to Councillors R. Aveley and A.A Meredith who had attended the highest number of units from the development programme.

**104. REPORT OF LEADER**

The Leader had no matters to report.

**105. CABINET DECISIONS MADE SINCE THE LAST MEETING OF THE COUNCIL**

Members received the report on the Cabinet decisions made since the last meeting of the Council on 4 March, 2010.

Councillor S.P. Burrell, Cabinet Member: Children & Young People, drew Members' attention to the award of a Design and Build contract for construction of the Abraham Darby Sports & Learning Community. He told Members that the project was fourteen months ahead of schedule.

**106. RECOMMENDATIONS FROM BOARDS & COMMITTEES**

i) Revision of Council's Constitution

The Speaker presented the report (attached at Appendix D) of the Head of Governance which sought approval for a number of changes to the Constitution. The recommendations contained within the report had been approved by Council Constitution Committee on 13 April 2010. Councillor C.F. Smith moved that recommendation 2.2, changes to Part 4, Rules of Procedure, Section 6, Financial Regulations, be deferred as no job description or person specification were in place for the role of Assistant Chief Executive. The Council's Chief Executive confirmed that both a job description and person specification were in place. The amendment to defer the recommendation was seconded and, following a vote, the amendment was defeated.

**RESOLVED -**

- a) that the changes to Article 12 of the Constitution as shown in Annex A of the report be approved;**

- b) **that the changes to Part 4, Rules of Procedure, Section 6 Financial Regulations within the Constitution as shown in Annex B of the report be approved;**
- c) **that Part 7 of the Constitution, Management Structure, as shown at Annex C of the report be deleted;**
- d) **that the changes to the Terms of Reference of the Audit Committee as set out at Annex D of the report be approved;**
- e) **that the changes to the Terms of Reference of the Appeals Committee as set out at paragraph 8.2 of the report be approved.**

ii) Scheme for Local Petitions

The Speaker presented the report of the Head of Governance (Appendix E) which sought approval for the proposed Scheme for Local Petitions and consequent amendment of the Constitution. The Petition Scheme and procedure flow chart were attached at annexes A and B of the report. Following a brief discussion it was agreed that the Petition Procedure flow chart, attached at Annex B, be clarified. It was agreed that the requirement for a response be amended to an 'initial' response to petitioners within 10 working days stating what action the Council intended to take in response to the petition.

**RESOLVED -**

- a) **that the Proposed Scheme for Local Petitions, attached at annexes A and B, be approved subject to amendment to the Petition Procedure requiring an 'initial' response to petitioners within 10 working days stating what action the Council intended to take in response to the petition;**
- b) **that the Council Constitution be amended accordingly.**

iii) Scheme for Public Speaking at Plans Board

The Speaker presented the report of the Head of Governance (Appendix F) which sought approval for the proposed Scheme for Public Speaking at Plans Board and consequent amendment of the Constitution. The scheme and a proposed information leaflet were attached at Annex A of the report. An amendment to the scheme had been tabled by Councillor S.M. Kelly and seconded by Councillor J.M. Seymour. A short discussion followed and the final proposed amendment read:

That the 3<sup>rd</sup> bullet point of paragraph 2 of the Scheme (as set out on p. 84 of the Council agenda) be amended to include the following words:

*'At the Chairman's discretion, an authorised representative of an adjoining Parish or Town Council may be allowed to speak in favour of or against an*

*application, if the Chairman is of the view that the application affects residents or councillors of that adjoining Parish or Town Council area.*

That the 4<sup>th</sup> bullet point of paragraph 2 of the Scheme (as set out on p. 84 of the Council agenda) be amended to include the following words:

*'At the Chairman's discretion, an authorised representative of an adjoining Borough ward may be allowed to speak in favour of or against an application, if the Chairman is of the view that the application affects residents or councillors of that adjoining Borough ward.*

A vote was taken and the amendment was approved.

**RESOLVED;**

a) **that the Proposed Scheme for Public Speaking at Plans Board be approved subject to the amendments and clarification requested by Council Constitution Committee and to the amendments to the 3<sup>rd</sup> and 4<sup>th</sup> bullet points of paragraph 2 allowing authorised Parish or Town Council and Borough councillors to speak, at the Chairman's discretion, if the Chairman is of the view that the application affects residents or councillors of that adjoining Parish or Town Council area or Borough ward.**

iv) **Change of Executive Arrangements**

The Speaker presented the report of the Head of Governance (Appendix G) which outlined for noting the proposed changes to the Council's decision making structures and sought approval for the proposed draft timetable. The Council was required to reconsider decision making arrangements due to the requirements of the Local Government and Public Involvement in Health Act (2007). Two options were available, a Leader and Cabinet model or a Directly Elected Mayor and Cabinet model.

**RESOLVED -**

a) **that the position regarding proposed changes to the Council's decision making structures be noted;**

b) **that the proposed draft timetable be approved;**

c) **that delegated authority be granted to the Council Constitution Committee to agree the consultation documents, as outlined in the report.**

v) Review of Scrutiny Arrangements

The Speaker presented the report of the Scrutiny Manager (Appendix H) which sought approval for new Scrutiny arrangements and consequential changes to the Constitution. Professor Steve Leach had conducted a review of Scrutiny arrangements. The review, attached at Appendix 1, had been completed in February 2010 and a number of recommendations had subsequently been made to Council by the Council Constitution Committee. The model recommended was that for option 2, priority based sub-groups, contained within paragraph 4.5 (2) of the report.

An amendment to the recommended model for Scrutiny arrangements had been tabled by Councillor C.F. Smith and seconded by Councillor L. Lomax. The amendment deleted the words 'paragraph 4.5 (2)' and replaced them with 'paragraph 4.5 (3)' and deleted the words 'Priority based sub-groups' and replaced them with the words 'Issues or service based sub-groups'. The amendment read as follows:

*The model for Scrutiny arrangements be that outlined within paragraph 4.5 (3) of Professor Steve Leach's 'Review of Scrutiny Arrangements at Telford & Wrekin' (Appendix 1). i.e. option 3 (Issues or service based sub-groups).*

A number of Members argued that there were a number of valid reasons for adopting the model for Issues or service based sub-groups in preference to the model for Priority based sub-groups. They believed that the Issue based model was clearer, required fewer resources to support and would be more effective.

The amendment was put to the vote and defeated.

**RESOLVED -**

- a) **the model for Scrutiny arrangements be that outlined within paragraph 4.5 (2) in Professor Leach's report 'Review of Scrutiny Arrangements at Telford & Wrekin' (Appendix 1), i.e. option 2 (Priority Based sub-groups);**
- b) **that the processes set out within section 7, paragraphs 7.2 and 7.3 of the Scrutiny Manager's report (Appendix H) to agree any consequent changes to the Constitution be approved;**
- c) **that the Interim Scrutiny Committee set up under recommendation (b) be politically balanced and comprise of 7 Conservative, 4 Labour, 2 Liberal Democrat/Independent and 1 TAWPA members with effect from the 2010/11 municipal year;**
- d) **that the existing Scrutiny Leadership Board be dissolved with effect from the end of the 2009/10 municipal year and the Constitution be amended as required.**

## **107. MEMBERS' ALLOWANCES**

Councillor A.J. Eade, Leader of the Council, presented the report of the Chief Executive which sought approval for the convening of an Independent Remuneration Panel to consider and decide whether to recommend changes to the current scheme for Members' Allowances. The report also recommended membership for the panel and requested that Members receive the final report at Council on 24 June, with any recommended changes being backdated to the beginning of the civic year.

The Chief Executive noted that Appendix 2 of the report omitted the allowances payable to Cabinet Assistants, he asked Members to note that the review would include those allowances.

### **RESOLVED –**

- a) **that an Independent Remuneration Panel be convened to consider the current scheme for Members' Allowances and decide whether to recommend any changes to the current scheme;**
- b) **that the Independent Remuneration Panel be chaired by Professor Stephen Leach and that Richard Sheehan and Mick Lloyd, as representatives from the business community and the third sector be invited to sit on the Panel with Professor Leach;**
- c) **that Members agree to receive the final report from the Independent Remuneration Panel at Full Council on 24 June 2010 but that the Panel are asked to report on the basis that any recommendations made by them are backdated and implemented from the beginning of the Civic year on 21 May 2010;**
- d) **that Members consider any further issues that they would like to be addressed by the Independent Remuneration Panel.**

## **108. MINUTES OF BOARDS AND COMMITTEES**

Council noted the resolved minutes of the Plans Board for 17 February and 10 & 31 March 2010, of the Audit Committee of 2 & 10 February 2010, of the Licensing Committee of 24 February and 5 March 2010 and of the Scrutiny Leadership Board of 25 March 2010.

## **109. QUESTIONS**

There were no questions.

**110. NOTICES OF MOTION**

No motions were received.

The meeting ended at 7.43 p.m.

**Speaker:** .....

**Date:** .....