

Minutes

Meeting name	Extraordinary Meeting of the Council
Date	Wednesday, 21 November 2018
Start time	6.30 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray LE13 1GH

Present:

Chair Councillor P. Chandler (Chair)

Councillors

T. Beaken	M. Blase
G. Botterill	R. de Burle
P. Cumbers	J. Douglas
P. Faulkner	A. Freer-Jones
M. Glancy	T. Greenow (Vice-Chair)
L. Higgins	E. Holmes
J. Hurrell	J. Illingworth
S. Lumley	J. Orson
A. Pearson	M. Sheldon
J. Simpson	J. Wyatt

Officers

- Chief Executive
- Director for Corporate Services
- Director for Legal and Democratic Services
- Senior Democracy Officer

Minute No.	Minute
CO40	<p>APOLOGIES FOR ABSENCE Apologies for absence were received from Councillors Baguley, Bains, Graham MBE, Hutchison, Posnett MBE, Rhodes and Wright.</p>
CO41	<p>DECLARATIONS OF INTEREST Councillors Orson and Pearson declared a personal interest should any County Council matters be raised due to their roles as Leicestershire County Councillors.</p>
CO42	<p>REVIEW OF GOVERNANCE ARRANGEMENTS Councillor Orson, Leader of the Council,</p> <p>(a) presented a report on a review of the Council's governance arrangements which requested the Council to</p> <ul style="list-style-type: none"> (i) consider implementation and necessary transitional arrangements to support a change in governance arrangements; (ii) consider updating and reviewing the constitution to meet the Council's aspirations; <p>(b) noted that the comments of the Governance Committee, held on 20 November 2018, on the Council report were tabled at the meeting;</p> <p>(c) stated that</p> <ul style="list-style-type: none"> (i) the Council had made some significant progress in the last year. It had opened itself up for external scrutiny through a Corporate Peer Challenge, refined its priorities and created a new Corporate Delivery Plan. It had adopted a Local Plan, entered new and improved service contracts for waste management and housing repairs and completed the multi-million pound renovation of Beckmill Court. This was an ambitious Council facing challenging times and the Council was not prepared to rest on its laurels. The Council had adopted a commercial strategy and wanted and needed to replace the funding lost from central government. The Council was exploring the possibility of setting up a housing company both to generate additional income and to allow the Council to build more affordable homes for its residents. The Council was undertaking commercial development appraisals of all its key sites to find the right way to unlock their potential and maximise opportunities. The Council had undertaken a governance review because it recognised that to be more effective and be more commercial the Council had to make more timely decisions; (ii) whilst most other Councils previously moved to a Cabinet structure this Council had retained its committee system. Whilst this may have served

the Council well in the past, as the Council had heard from the LGA in March the Council's governance structures had become bloated and unwieldy. In May the Council took immediate steps to improve the situation and removed a lot of unnecessary sub structures which was confusing accountability and making decision-making processes less clear. At the time the Council recognised this was only the first step and since then, as requested by this Council, the Governance Development Group had spent time reviewing alternative governance models to identify what was the right model for meeting Melton's ambitions today;

- (iii) the group had spoken to a number of Councils operating different models and talked to stakeholders about their perceptions of how the Council did things. The group listened to residents through an online survey and worked closely with officers to identify the right option to move the Council forward;
- (iv) against the various models a number of tests were applied to identify the right option for the Council. Whatever model the Council chose, its primary purpose had to be helping to deliver most effectively for its residents by achieving the following:
 - Clearer Accountability: Ensuring the public know who is responsible for what and members have more clearly defined roles
 - More Engagement: increasing the level of stakeholder and public involvement in policy development
 - Greater Transparency: Ensuring that there is effective review and oversight of our decisions
 - Quicker decision making: Ensuring quicker and more timely decision making to fulfil our aspirations to be a more agile and commercial council
- (v) having considered the Council's existing committee arrangements, a hybrid model and a Cabinet structure, the Governance Development Group were in no doubt that the best way for the Council to meet these objectives and deliver for its communities was to move to a Cabinet and Scrutiny model;
- (vi) he knew there may be some who felt comfortable with the status quo, but this could not be about simply protecting what had always been done. Times had changed and this Council had changed and it had to respond if it was to meet the challenges ahead and deliver most effectively for its residents. How the Council moved forward could not be about simply maintaining tradition, but rather an objective assessment of the options and a decision to pursue the best one. The report from the Governance Development Group set out a comprehensive and logical assessment of the position and he would hope that like him Councillors were fully persuaded that there was only one credible option for the Council to pursue;

(vii) by moving to a Cabinet model the Council could take more timely decisions both through more regular decision-making meetings but also by establishing an appropriate scheme of delegation. This meant it would be possible for lead members, not just officers, to take delegated decisions, ensuring local democracy was further enhanced, as well as enabling action rather than delay. Decisions would be taken considering all implications and issues, rather than in a fragmented way through discrete committees that were always struggling not to tread on each other's toes. For the first time in a long time there would be effective scrutiny, something so important to ensuring transparency, accountability and ultimately good decision-making. He understood why the Council removed this from our structure some years ago because it was less effective in a committee system, but it would be integral to a Cabinet structure and would give the wider membership the opportunity to again consider issues across the whole remit of the Council, rather than being constrained to one particular and discrete agenda;

(viii) since he had been Leader he had heard many times frustration about decisions the Council had taken without anyone being really clear on why or who was responsible. That had to stop. The Council had to be clear on what it wanted to do and be clear on how it was going to do it. The Council could not afford to waste time and resources on things that did not matter and alongside the other steps already taken, the decision at that meeting would represent another significant milestone which should further increase the Council's confidence about the future. The Council could not miss this opportunity and must not miss this opportunity. The time was now and he urged all councillors to back the recommendations contained in the report as they looked towards a more accountable, transparent, and commercial future;

(d) moved recommendations 2.1 and 2.1(a) to (e) and advised that he would return to recommendations 2.2 to 2.4 following the initial vote.

Councillor Higgins seconded the motion and reserved his right to speak.

Twelve councillors made the following comments, each set out in individual bullet points below:

- A member noted that the Council had to be smarter due to its size. She also noted that there had been an online survey to collect people's views, however she had spoken with people across the Borough from various wards about the proposals who had questioned why the Council should make changes now considering the new administration would commence in May 2019.
- A member responded to a previous councillor's comment of why the Council should seek a change at the current time and stated that this was not

change for change's sake; the Council needed to change to meet its priorities and the needs of residents. He also noted that with very little central government funding the Council had to be firm for purpose and for the future. He further noted that if the Council waited, the momentum would be lost and it would be another 12 months before the Council could reconsider changing its governance arrangements.

Following a question regarding how the member had gathered the views of residents it was noted that the information had been gathered socially and not by formal canvassing. The Mayor confirmed that she had witnessed such discussions between the member and residents.

- A member took the opportunity to thank members and officers who had been involved in the Local Plan as they had previously not had chance to do this. The member added that they shared the Leader's views and that the Council needed to move to the Cabinet model as it would speed up decision-making and help with accountability. It was also noted the committee system meetings were too spread out. The councillor considered the new model should be in place for next May and that a review of constitutional arrangements was needed.
- A member noted that he had previously been sceptical of this way of Cabinet due to his experience elsewhere but had since been convinced by the work of the Governance Development Group. He noted that due to the thorough research and findings of the group the Cabinet model would work and any arrangements were as good as the people operating them and at Melton members and officers worked closely together and this way of working would benefit residents. It was noted that the committee system was slow and sometimes resulted in poor decisions and considering this was a crucial time for the Borough it was the right time for change. It was further noted that members and officers needed to work together on commercialism, be able to negotiate quickly and have trust to move things forward and make things happen and the councillor felt the Cabinet model would bring this and work for the residents.
- A member noted that he had initially been sceptical of the Cabinet model but after listening and taking on board all the information presented, the member could see many benefits and noted that the proposed changes would help with the Council's commercial ambitions.
- A member noted that he had initially been sceptical but after listening to discussions and asking questions they backed the motion for change. The member considered that it would be different for the opposition to have their voices heard and the new model would offer this freedom of speech. The member further noted that the Leader would take on more responsibility to make the Council more accountable to members and the public.
- A member noted that the Council was currently lacking in scrutiny it would

be good for the opposition to have a voice and hold the leadership to account. It was noted that robust processes would need to be implemented to ensure the proposed model would work effectively.

- A member noted that the Council had undergone changes and quicker decisions were needed in the commercial world. This change would create a more linear approach. It was noted that Away Days and briefings should continue and the scrutiny function would ensure decision-makers were held to account and challenged as necessary.
- A member supported the positive and forward thinking change and explained that the Governance Development Group had worked hard looking at other structures and considered the proposed change as the best way forward. It was noted that the scrutiny function would help the Council to make the right decisions. It was also noted that the proposed changes would ignite a passion for members to better understand how the Council makes decisions and help with understanding the impact of decisions on communities and the people that look to them for leadership and support.
- A member noted that the governance model in operation was only as good as the people that ran it. He confirmed that he would not be voting as he would not be standing for election next year but wished the Council well in whatever was decided.
- A member noted that he had previously voted for the Committee System but had found the information provided this time more comprehensive than previously and would vote for the Cabinet as they felt this was the best model to move the Council forward.
- A member noted that it was necessary to make the change to the Council's governance arrangements as the Council had to be more commercial. It was noted that it was positive that the scrutiny function would be reinstated and that all members should ask for items to be scrutinised even if not on the Scrutiny Committee. It was noted that there was overlap in responsibilities within the Committee System and that decisions would be quicker within the Leader and Cabinet model.

Councillor Higgins, as the seconder of the motion, said he not been on the Governance Development Group so that he could take an impartial position in being convinced of the benefits of this change and he paid tribute to those on the group. He said he was proud of what had been achieved since the Peer Challenge and thanked those involved and Judith Hurcombe from the Local Government Association. He felt it was a good time for change as this Council was coming to the end of its term and this decision would set its successors the best opportunities for the future. He referred to comments made by members that the proposed governance model would bring decisions closer to the community and related this to the issues raised by people on his ward. He noted that if the Scrutiny function had been in place a few years ago, mistakes made previously may not have

happened although the Council had learned from these. He said he would support the recommendations and thanked the Mayor for chairing the meeting and the officers for the excellent report.

In closing the debate, the Leader thanked Judith Hurcombe from the LGA for attending the meeting and for her helpful advice throughout the process. He referred to individual members' comments and specifically on the 'why now' comment and responded that previously the Council had deferred and passed the decision to another group of members but this needed to be a smart decision made now by this Council. He thanked the other members for their support and referred to each comment of support as listed above. He noted that the proposed changes would be a challenge and a lot of work for the officer team but the proposed way of making decisions would help to bring the savings needed by delivering on the Council's commercial aspirations. He noted that this needed to happen or extra funding would have to be found by other means such as cutting services.

The Leader explained that he had already moved the recommendations and requested there be a recorded vote and asked for two members to join in this request. The Mayor sought the views of other members and a number of members raised their hands and supported the demand for a recorded vote.

The Mayor confirmed that she would abstain as she would not be standing for election next year.

The Mayor confirmed that a recorded vote would be taken and the Chief Executive explained that he would read out each member's name and they should state whether they are for, against or abstaining on the vote in respect of the recommendations.

On the motion for recommendations 2.1 and 2.1(a) to (e) being put to the vote, there were 18 in favour and 3 abstentions therefore the motion was carried and the following individual votes were recorded :-

Councillor	For	Against	Abstain	Absent
Baguley				√
Bains				√
Beaken	√			
Blase	√			
Botterill			√	
Chandler			√	
Cumbers	√			
De Burle	√			
Douglas	√			
Faulkner	√			

Freer-Jones	√			
Glancy	√			
Graham				√
Greenow	√			
Higgins	√			
Holmes			√	
Hurrell	√			
Hutchison				√
Illingworth	√			
Lumley	√			
Orson	√			
Pearson	√			
Posnett				√
Rhodes				√
Sheldon	√			
Simpson	√			
Wright				√
Wyatt	√			
Totals	18	0	3	7

The Leader expressed his thanks to colleagues on the Governance Development Group being Councillors de Burle, Freer-Jones, Greenow and Illingworth and referred to the amount of time spent working together and that they had differing views initially and had worked well to reach consensus and bring the report to the Council. He noted the Skype meetings with Tunbridge Wells and South Gloucestershire Councils and that these had proved to be as efficient as meeting in person. He thanked Councillor Botterill for his long service to the Council and that he appreciated both his and the Mayor's reasons for abstaining.

The Leader further stated that he was delighted the Council had made this significant decision. To support the change it was now necessary to completely reshape the constitution, financial procedure rules and scheme of delegation. Appendix C set out an action plan outlining the work which was now required prior to adoption of the new system in May 2019. Recommendations 2.2 and 2.3 proposed the continuation of the Governance Development Group to maintain their oversight of the work and section 3.8 of the report set out the timescales when the group would report back to the Governance Committee and Council over the coming months. He then moved recommendations 2.2, 2.3 and 2.4.

Councillor Higgins seconded the motion and reserved his right speak should this be necessary.

There was no further debate.

On the motion for recommendations 2.2, 2.3 and 2.4 being put to the vote, there were 18 in favour and 3 abstentions, therefore the motion was carried.

RESOLVED that the Council

- (1) note and acknowledge the work undertaken by the Governance Development Group and accept the Governance Review recommendations as set out at Appendix A and in so doing :
 - (a) cease to operate the current 'Committee System' governance arrangements from the May 2019 Annual Council meeting;
 - (b) change governance arrangements to 'Executive Arrangements' effective from the May 2019 Annual Council meeting in accordance with the provisions of the Localism Act 2011;
 - (c) adopt the Leader and Cabinet form of 'Executive Arrangements', effective from the May 2019 Annual Council meeting, in accordance with the provisions of the Localism Act 2011;
 - (d) approve the Action Plan as set out in Appendix C which sets out the Council's transitional arrangements in advance of the May 2019 Annual Council meeting;
 - (e) delegate authority to the Chief Executive to approve the necessary structural changes to the Legal and Democratic Services structure so as to most effectively support the new governance arrangements including the use of the Corporate Priorities Reserve should this be necessary to meet any one off costs resulting from the associated staffing changes;
- (2) approve the continuation of the 'Governance Development Group' to continue operating as an informal working group responsible for developing proposals regarding the required constitutional reform and the group be requested to make recommendations to the Governance Committee and Council in due course;
- (3) ask the Leader of the Council to nominate up to 5 members to work with him and officers within the 'Governance Development Group';
- (4) convene an Independent Remuneration Panel to review and provide advice on the Council's Members' Allowance Scheme.

The Leader thanked the Mayor and members.

The meeting closed at: 7.15 pm

