

Minutes of a meeting of Essex County Council held at County Hall, Chelmsford on 14 May 2013

Present

Chairman: Councillor K Twitchen

Vice-Chairman: Councillor N Hume

Councillors:

J Abbott	R Gadsby	D Louis
J F Aldridge	K Gibbs	M Mackrory
W Archibald	R J Gooding	R A Madden
B Aspinell	I Grundy	M Maddocks
Mrs S Barker	C Guglielmi	M McEwen
R L Bass	D Harris	M McGeorge
A Bayley	A M Hedley	Mrs V Metcalfe
K Bentley	G Helm	A Naylor
K Bobbin	I Henderson	Lady P Newton
R G Boyce	Mrs T M A Higgins	P Oxley
A Brown	R Hirst	M J Page
M Buckley	P Honeywood	J W Pike
G Butland	R C Howard	C C Pond
J Chandler	M Hoy	Mrs J M Reeves
P Channer	J Huntman	S Robinson
K Clempner	A J Jackson	C Seagers
T Cutmore	E C Johnson	K Smith
M Danvers	J G Jowers	J Spence
J A Deakin	D J Kendall	Mrs A Turrell
T Durcan	J Knapman	S Walsh
M Ellis	N Le Gresley	R G Walters
A Erskine	S Lissimore	J Whitehouse
D Finch	J Lodge	A Wood
M D Fisher	R Lord	J A Young

The meeting was preceded by prayers led by The Reverend Canon Carol Smith, County Council Chaplain and Vicar of the Church of England Parish Churches for Moulsham Lodge with Tile Kiln and Moulsham St John's, in the Diocese of Chelmsford.

1. Election of Chairman

It having been proposed by Councillor D Finch and seconded by Councillor A M Hedley it was

Resolved:

That Councillor K Twitchen be elected Chairman of the County Council for the forthcoming Municipal Year.

Councillor Twitchen made and signed the Declaration of Acceptance of Office.

2. Appointment of Vice-Chairman

It having been proposed by Councillor K Bentley and seconded by Councillor J Aldridge it was

Resolved:

That Councillor N Hume be appointed Vice-Chairman of the County Council for the forthcoming Municipal Year.

Councillor Hume made and signed the Declaration of Acceptance of Office.

3. Apologies for Absence

Apologies for absence were received on behalf of Councillor D Blackwell.

4. The Return of Members Elected

Council received from the Chief Executive a report setting out the return of members elected and the consequent allocation of committee seats in compliance with the political balance rules.

The Chairman responded to questions regarding political proportionality, opposition groups and appointments to the Fire Authority.

5. Declarations of Interest

There were no declarations of interest.

6. Minutes of the meeting held on 5 February 2013

Resolved:

That the minutes of the meeting held on 5 February 2013 be approved as a correct record and signed by the Chairman, subject to Minute 15 being amended to read as follows:

'In response to a question from Councillor J Young regarding press reports attributed to the Fire Service Minister regarding plans to close fire-stations in the UK, Councillor Hedley, the Essex Fire Authority representative, replied that the review underway at present was complex but he would raise the matter at the AGM of the Essex Fire Authority and he invited Councillor Young, at the forthcoming LGA meeting to do the same.'

7. The Member Development Charter

The Chairman informed members that the Council had achieved the Member Development Charter. At the invitation of the Chairman the award was presented by Councillor Jim Ranger, on behalf of the Chairman of the East of England Local Government Association. He asked members to note that in the view of the LGA this was one of the most exceptional assessments ever undertaken.

The Chairman congratulated the members and officers for the achievement and paid particular tribute to Councillor J Aldridge, Chairman of the Member Development Steering Group, and Joanna Boaler, Member Support Manager, for their respective contributions.

8. Local Government Chronicle Awards 2013

The Chairman informed members that the Council had been shortlisted in the Local Government Chronicle Awards 2013 for the following awards:

- Central Services Team of the Year (for the Procurement Delivery Team),
- Corporate Governance,
- Council of the Year,
- Public / Private Partnership (for the integrated property and facilities partnership) and
- Public Sector Partnerships (for the Essex Countywide Traveller Unit).

and to note that from this shortlist Essex County Council won national recognition for:

- Corporate Governance and
- Public Sector Partnerships for the Essex Countywide Traveller Unit.

The Chairman received on behalf of the Council, from Councillor D Finch, the Corporate Governance Award.

9. The Public Sector People Manager's Association Award

The Chairman informed members that the Council had also won an award at the Public Sector People Manager's Association on 19 April 2013. The Council took first place in the Human Resources category 'Making a difference through Employee Engagement'.

The Chairman noted that this was in recognition of the collaborative work between the County Council and the Essex Engagers and she congratulated all involved.

10. Memorial Service

The Chairman informed members that she had represented the Council at the memorial service held for former Councillor Joan Beard and past Chairman of the Council who had died in December.

11. Congratulations

The Chairman asked members to note that the prayers that had preceded the meeting of Council had been conducted by the Reverend Canon Carol Smith who had recently been made a non-residential Canon of Chelmsford Cathedral. This was a significant achievement and honour and on behalf of the Council she congratulated her.

12. Presentation of Petitions

The Chairman formally received petitions relating to;

- a request that the speed limit be cut from 30 mph to 20 mph in the Roach Vale Estate, Colchester presented by Councillor Theresa Higgins and
- that there be a renewal of pavements and kerbs in Softwater Lane, Hadleigh presented by Councillor Jillian Reeves.

13. Notification of the Memberships of the Political Groups and the names of Group Leaders and their Deputies

The report of the memberships of the Political Groups and the names of Group Leaders and their Deputies was received.

14. Appointment of the Leader of the Council

It having been proposed by Councillor J Pike and seconded by Councillor S Barker, it was

Resolved:

That Councillor David Finch be appointed Leader of Essex County Council.

He then made a statement to Council, thanking members for his election. He paid tribute to the former Leader, Mr Martin, congratulated all members for their election, expressed his appreciation to those members who had worked hard but for various reasons had not returned and outlined his vision for Essex and plans for the next four years.

15. Notification from the newly-elected Leader of the appointment of the Cabinet including the Deputy Leader of the Council, the powers delegated to them and the appointment of Deputies

The report detailing the appointments to Cabinet, including the Deputy Leader of the Council, the powers delegated to them and the appointment of Deputies was received.

The Leader gave further clarification on the way that the Opposition Groups will be represented on the Corporate Scrutiny Committee.

16. Council Issues

The report of Council Issues was received.

Upon being put to the meeting the recommendation relating to Item 1 (Scrutiny) was agreed and accordingly it was

Resolved:

(1) That the Council

(a) establish the following overview and scrutiny committees with the terms of reference set out in the amended Articles 9 and 10 of the Constitution in Appendix 1:

- Corporate Scrutiny Committee (14 members)
- People and Families Scrutiny Committee (18 members including 4 statutory co-opted members)
- Place Services and Economic Growth Scrutiny Committee (14 members)
- Health Overview and Scrutiny Committee (16 members including 4 co-opted representing city, borough and district councils) in place of the existing Executive Scrutiny and Children and Young People, Community and Older People and Economic Development,

Environment and Highways Policy and Scrutiny Committees and the former statutory Health Overview and Scrutiny Committee.

- (2) That the Monitoring Officer be authorised to make any necessary adjustments to the Constitution in relation to the numbers and proportions on Committees arising from the review of scrutiny and the political proportionality on Committees.

Before the recommendation to Item 2 (Special responsibility Allowances) was put to the meeting it was moved by Councillor S Robinson and seconded by Councillor D Kendall that recommendation 2 (i) detailing the deletions of Special Responsibility Allowances be amended such that the allowance for the Deputy Leader of the Conservative Group also be deleted.

Upon being put to the meeting the amendment was declared to be lost. Upon being put to the meeting the recommendation relating to item 2 was agreed and accordingly it was

Resolved:

That, having regard to the report of the Independent Remuneration Panel, the Council adopts a scheme of member allowances based on the current scheme but with the following additions and deletions:

- (i) Delete the following Special Responsibility Allowances:
- Deputy to Cabinet Member paid at £16,625
 - Deputy Leader of Main Opposition Group
 - Leader of Main Opposition Group
 - Chairman of Appeals Panel
 - Opposition Spokesperson
- (ii) Add the following special responsibility allowance:
- Leader of one of the three largest opposition groups: £5,350.

Upon being put to the meeting the recommendation relating to Item 3 (Changes to the Constitution) was agreed and accordingly it was

Resolved:

That the Constitution be amended as set out below:

Issue	Current	Proposed replacement
Paragraph 7.8 of the Constitution governs when people who are not members of the Cabinet may speak at Cabinet	Representatives of the opposition group on the Council may attend Cabinet meetings with the entitlement to speak (NB: only one observer may speak about any one	

<p>meetings.</p> <p>It is proposed that this provision be deleted and not replaced as, subject to the Code of Member Conduct, all members may attend Cabinet Meetings and are permitted to speak with the permission of the Chairman.</p>	<p>report). The number and names (including a designated substitute) will be agreed by way of a Protocol between the Political Groups and will reflect the political composition of the Council from time to time.</p>	
<p>Paragraph 16.12.2(iii) allows for the leader of the opposition to make a 10 minute speech in reply to the proposed budget.</p> <p>It is proposed to reduce the time to six minutes and to grant this right to the three largest political groups.</p>	<p>the Leader of the Opposition Group when responding to the budget speech – 10 minutes.</p>	<p>Each Leader of the three largest Opposition Groups when responding to the budget speech – 6 minutes.</p>
<p>Paragraph 16.21 allows Executive Members to make executive statements. All Councillors may ask questions in response. Under the constitution the Leader of the Opposition has a formal right of reply, although this has not in practice been exercised as the dialogue takes place in the question and answer process.</p> <p>It is recommended that this provision be removed.</p>	<p>The Leader of the Council or a Cabinet Member may update the Council on current issues of importance that cannot be covered elsewhere as part of the usual business, provided that the Leader of the Opposition will have an equivalent opportunity to reply.</p>	<p>The Leader of the Council or a Cabinet Member may update the Council on current issues of importance that cannot be covered elsewhere as part of the usual business.</p>
<p>Paragraph 16.21 continued 16.21.1 (ii)</p>	<p>The subject of any proposed statement and the identity of the person who will be making it should be notified to the Governance Manager by 5.00pm on the Friday prior to the Council meeting, for e-mail notification to all Members of the Council and to provide the Leader of the Opposition with a reasonable opportunity to prepare.</p>	<p>The subject of any proposed statement and the identity of the person who will be making it should be notified to the Governance Team Manager by 5.00pm on the Friday prior to the Council meeting, for e-mail notification to all Members of the Council</p>

<p>Paragraph 16.21 continued 16.21.1 (iii)</p>	<p>In exceptional circumstances where it has not been possible to provide notification and identify the person making the statement by 5:00pm on the Friday prior to the Council meeting, such notification and identification shall be made to the Lead Governance Officer as soon as possible for notification to the Leader of the Opposition and for the agreement of the Chairman of the Council that it may proceed.</p>	<p>In exceptional circumstances where it has not been possible to provide notification and identify the person making the statement by 5:00pm on the Friday prior to the Council meeting, such notification and identification shall be made to the Governance Team Manager as soon as possible for notification to the leaders of all political groups and for the agreement of the Chairman of the Council that it may proceed.</p>
<p>Paragraph 16.21 continued 16.21.1 (v) and (vi)</p>	<p>(v) The Leader of the Opposition or other nominated Member of the Opposition group on the Council will have the right to reply, up to a maximum of five minutes, including any questions which require a response from the originator of the Statement. (vi) The originator of the Statement shall respond briefly to the matters raised in the Opposition's response.</p>	<p>Delete and renumber paragraph (vii) to (v)</p>
<p>19.6 – Chair of Executive Scrutiny (now to be called Corporate Scrutiny Committee).</p> <p>The role of Chairman of this committee will be open to the leaders of the three largest opposition groups.</p>	<p>19.6 Chairmanship At its annual meeting the Council shall elect a Chairman of each Overview and Scrutiny Committee. The Leader of the Opposition shall be elected as Chairman of the Executive Scrutiny Committee.</p>	<p>19.6 Chairmanship At its annual meeting the Council shall elect a Chairman of each Overview and Scrutiny Committee.</p> <p>The Council will elect a Chairman of the Corporate Scrutiny Committee from the Leaders of the three main opposition groups each year in alphabetical order by Group name.</p>

17. Political Groups' appointments to committees

The report of Political Groups' appointments to committees was received, subject to Councillor Pike being deleted as a Conservative substitute on the People and Families Scrutiny Committee.

18. Appointment of Chairmen of Committees

The report of the Appointment of Chairmen of Committees was received.

19. County Council Nominations to the Health and Wellbeing Board

The report of Council nominations to the Health and Wellbeing Board was received.

20. Appointment of the County Council Representative to the Essex Police and Crime Panel

The report of the appointment of the Council representative to the Essex Police and Crime Panel was received.

21. Appointment of the County Council Representatives to the Essex Fire Authority

The report of the appointment of the Council representatives to the Essex Fire Authority was received subject to the Leader of the Green Party, Councillor J Abbott advising members that the vacancy attributed to the Green Party noted in the recommendation would be filled by Councillor M Hoy.

22. To note the dates of future meetings of Council

The dates of future meetings were noted.

23. Special Vote of Thanks

On the recommendation of the Chairman, Council agreed a special vote of thanks to The Monitoring Officer, Terry Osborne and The Governance Team Manager, Colin Ismay, and their staff who had worked tirelessly since the election so that new members should be welcomed to the Council, the appointments to committees made and the preparation for this meeting be complete.

The meeting closed at 11:45

Chairman

9 July 2013