

## Minutes of the Meeting of Warwickshire County Council held on 23 May 2017

Present:  
Councillor Clive Rickhards (Chair)

Councillors Jo Barker, Margaret Bell, Parminder Singh Birdi, Sarah Boad, Mike Brain, Peter Butlin, Les Caborn, Mark Cargill, Richard Chattaway, Jonathan Chilvers, Jeff Clarke, Alan Cockburn, John Cooke, Andy Crump, Yousef Dahmash, Corinne Davies, Nicola Davies, Neil Dirveiks, Judy Falp, Jenny Fradgley, Bill Gifford, Pete Gilbert, Dan Gissane, Clare Golby, Seb Gran, Colin Hayfield, John Holland, John Horner, Andy Jenns, Kam Kaur, Keith Kondakor, Jeff Morgan, Bill Olnor, Maggie O'Rourke, Bhagwant Singh Pandher, Anne Parry, Dave Parsons, Caroline Phillips, Wallace Redford, David Reilly, Howard Roberts, Kate Rolfe, Jerry Roodhouse, Andy Sargeant, Izzi Seccombe, Dave Shilton, Jill Simpson-Vince, Bob Stevens, Heather Timms, Adrian Warwick, Alan Webb, Matt Western, Chris Williams and Pam Williams.

The Council stood for a minute's silence for those affected by the tragic events at the Manchester Arena the previous evening and requested that their condolences be conveyed to Manchester City Council.

### **1. Welcome to New Members**

The retiring chair, Councillor Bob Hicks, welcomed members to their first meeting of the new Council.

### **2. Election of Chair**

Councillor Kate Rolfe, seconded by Councillor Izzi Seccombe, proposed that Councillor Clive Rickhards be elected Chair of Council for the ensuing municipal year.

There were no other nominations.

#### **Resolved**

That Councillor Clive Rickhards be elected Chair of Council until the annual meeting of the Council in 2018.

Councillor Clive Rickhards made his declaration of office and thanked the Council for their support and for the honour of representing the Council.

#### Vote of thanks to retiring chair.

The Chair proposed a vote of thanks to the outgoing chair, Councillor Bob Hicks, and paid tribute to the competent and fair manner in which he had conducted meetings.

Councillor Bob Hicks expressed his gratitude for having had the privilege of serving as Chair which had been both pleasurable and rewarding. Councillor Hicks paid tribute to the many individuals and organisations he had met at many events across the County, including at the Queens Awards ceremonies, remembrance services, church services, and events such as the citizen ceremonies and staff awards for long and exceptional service.

Councillor Hicks paid tribute to all we were working hard to serve Warwickshire communities, often with little public recognition and to the warm welcome he had received from so many and in particular the very special civic service provided by reverend Frank Seldon and parishioners of All Saints Church in Chilvers Coten.

Councillor Hicks thanked Dawn Mardle, who had provided faultless service and friendship during his office, and also Stuart Reed for his chauffeuring service but expressed his particular thanks to his wife Ann and for the quality time that his role as Chair had provided them. Councillor Hicks left the Council with the following thoughts from George Eliot:

'What do we live for, if it is not to make life less difficult for each other?'

### **Resolved**

That the County Council places on record its appreciation to Councillor Bob Hicks for his excellent service as Chair of the Council during 2016/17.

## **3. Election of Vice Chair**

Councillor Alan Cockburn, seconded by Councillor Dave Shilton, proposed that Councillor John Cooke be elected Vice-Chair of the Council for the ensuing municipal year.

There were no other nominations.

### **Resolved**

That Councillor John Cooke be elected Vice Chair of Council until the annual meeting of the Council in 2018.

Councillor John Cooke made his declaration of office and thanked the Council for his election.

## **4. General**

### **(1) Apologies for absence**

Apologies for absence were submitted on behalf of Councillors Keith Lloyd and Andy Wright.

**(2) Members' Disclosures of Pecuniary and Non-Pecuniary Interests**

None.

**(3) Minutes**

**Resolved**

That the minutes of the meeting held on 21 March 2017 be approved as a correct record.

**(4) Announcements**

Celebrating Volunteers in Warwickshire

The Chair announced that volunteers in Warwickshire would be celebrated at an afternoon tea on Wednesday 5 July from 5.30 p.m. at Northgate House. This would be an opportunity to thank volunteers for the valuable support they give to their communities. Tickets are available in the Group Rooms or from Janet Purcell in Democratic Services.

Mark Brightburn – Carer of the Year

The Chair welcomed Mark Brightburn to the meeting and congratulated him for having been awarded Carer of the Year by the Multiple Sclerosis Society.

Councillor Izzi Seccombe advised the Council that Mark cares for his wife Portia who has secondary progressive MS and epilepsy. He also works full time as an Associate Director of an international engineering firm in Leamington and has three children. Despite these commitments Mark has found time to work with his company's human resources department to create a new UK carers procedure as well as playing a crucial role in developing the County Council's Carer's Wellbeing Service to be launched on 1 June.

Mark thanked the Council for their welcome and explained that he wished to give a voice for carers, who were largely hidden in society and whose circumstances did not allow them time to campaign themselves. Access to care and co-ordinating care can be very complex (his own wife has 50 different carers) and is an aspect of caring that is often overlooked and support is lacking. One in four carers give up work due to the pressures and Mark's own experience had revealed the lack of procedures in the workplace to help carers. This had led him to campaign for better support for carers and to influence the Government's Carers Strategy due this year and to ensure employers develop workforce strategies for carers.

Mark welcomed Warwickshire's new Carers Wellbeing Service and urged members to promote the new service, particularly during Carers Week which will start on 12 June.

The Chair thanked Mark for his address and for the work he had undertaken on behalf of carers and wished the campaign every success for the future.

## 5. Election of County Councillors

The Council received the County Returning Officer's return of persons elected on 4 May 2017.

### Resolved

That the Council note the return of persons elected on 4 May 2017.

## 6. Appointment of Leader

Councillor Peter Butlin nominated Councillor Izzi Seccombe to be Leader of the Council. Councillor Les Caborn seconded the nomination.

There were no other nominations. The nomination was put to the vote and was carried.

### Resolved

That Councillor Izzi Seccombe be appointed Leader of the Council until the annual meeting of the Council in 2021.

## 7. Arrangements for the new Council

Councillor Izzi Seccombe, Leader of the Council moved the recommendations as set out below and was seconded by Councillor Peter Butlin.

The recommendations were put to the vote and were agreed as follows:

### Resolved

(1) That the Council confirms the Committee Structure and delegations to member bodies and officers as set out in the Council's Constitution, including the permanent appointment of the Joint Managing Directors and the appointment of the Head of Law & Governance as Monitoring Officer, and the delegations to them as agreed by the Council on 13 December 2016.

(2) That the number of places on Council Committees be as follows

Committees	Con	Lab	LD	Green	Ind SF	WRA	Total
Audit & Standards Committee (6)	4	1	1				6
Regulatory Committee (12)	7	2	2		1		12
Staff & Pensions Committee (6)	4	1	1				6
Adult SC & Health	7	2	1				10
Children	7	1	1	1			10
Communities	6	2	1	1			10
Resources	6	2	1			1	10
Total	41	11	8	2	1	1	64

(3) That the Council appoints the following membership:

<b>Committees</b>	<b>Con</b>	<b>Lab</b>	<b>LD</b>	<b>Grn</b>	<b>Ind</b>
Audit & Standards Committee	Parminder Singh Birdi. Mark Cargill Andy Crump Jill Simpson-Vince	John Holland	Bill Gifford		
Regulatory Committee	Margaret Bell Mike Brain Clare Golby David Reilly Dave Shilton Adrian Warwick Chris Williams	Bill Olnier Alan Webb	Clive Rickhards Bill Gifford		Keith Lloyd
Staff & Pensions Committee	John Cooke Kam Kaur Bhagwant Singh Pandher Bob Stevens	Alan Webb	Bill Gifford		
Adult Social Care & Health OSC	Mark Cargill Clare Golby Anne Parry Wallace Redford Andy Sargeant Jill Simpson –Vince Adrian Warwick	Neil Dirveiks Dave Parsons	Kate Rolfe		
Children & Young People OSC	Jo Barker Margaret Bell Yousef Dahmash Pete Gilbert Dan Gissane Chris Williams Pam Williams	Corinne Davies	Jerry Roodhouse	Jonathan Chilvers	
Communities OSC	Seb Gran John Horner Bhagwant Singh Pandher David Reilly Dave Shilton Andy Wright	Caroline Phillips Matt Western	Jenny Fradgley	Keith Kondakor	
Resources, Fire & Rescue OSC	Parminder Singh Birdi John Cooke Andy Crump Andy Jenns Heather Timms Pete Gilbert	Bill Olnier Maggie O'Rourke	Sarah Boad		Judith Falp

(4) That John Bridgeman be confirmed as the Chair of the Audit and Standards Committee.

(5) That the Council appoints members to the following bodies:

	<b>Conservative</b>	<b>Labour</b>	<b>Liberal Democrat</b>
Health and Wellbeing Board (4)	Izzi Seccombe Les Caborn Jeff Morgan	John Holland	
Corporate Parenting Panel (6)	Chris Williams Jeff Morgan Yousef Dahmash Pam Williams	Caroline Phillips	Jerry Roodhouse
Standing Advisory Council on Religious Education (SACRE)	Clare Golby 2 members to be advised	Caroline Phillips	Sarah Boad

(6) That the Leader of the Council be confirmed as the Chair of the Health and Wellbeing Board

(7) That all other committees, sub-committees, working groups and panels other than statutory bodies cease to operate.

(8) That the Council authorises the Joint Managing Director (Resources) to make such amendments to the Council's Constitution as may be required as a consequence of any changes agreed by the Council.

(9) That an Independent Remuneration Panel to review the Member Allowances Scheme be convened to report to Council in September.

## **8. Appointment to External Organisations**

Councillor Izzi Seccombe, Leader of the Council, moved the recommendations as set out below and was seconded by Councillor Peter Butlin.

The recommendations were put to the vote and were agreed as follows:

### **Resolved**

That the Council appoints to the following external/partnership bodies.

	Conservative	Labour	Liberal Democrat
Warwickshire Police and Crime Panel	Mark Cargill Adrian Warwick	Neil Dirveiks Richard Chattaway	Nicola Davies
Coventry & Warwickshire Local Enterprise Partnership	Butlin		
Local Pension Board	Jill Simpson-Vince	Matt Western	
Waste Partnership	Jeff Clarke John Horner Andy Wright	Dave Parsons	Jenny Fradgley
Local Government Association	Izzi Seccombe Peter Butlin	Richard Chattaway	Jerry Roodhouse
County Council Network	Izzi Seccombe Peter Butlin	Richard Chattaway	Jerry Roodhouse
Local Government Association Fire Commission	Howard Roberts		

- (2) That Council confirms the appointment of Keith Bray as independent Chair of the Local Pension Board and Chair of the Warwickshire Fire and Rescue Local Pension Board .

## 9. Changes to Standing Orders

The Chair advised the meeting that any proposed amendments which have been considered by the monitoring officer to conform in all material respects with the proposals in the published report will be considered at the meeting but any that the monitoring officer considers do not conform will be adjourned to the Council meeting in July.

Councillor Izzi Seccombe, Leader of the Council, moved following set out at **A** below and was seconded by Councillor Peter Butlin:

- A.** (1) That the Council approves the revised Standing Orders set out in the appendix to the report.
- (2) That the Council authorises the Joint Managing Director (Resources) to make the changes to the Council's Constitution that are necessary to reflect the Council's decision.

Councillor Izzi Seccombe explained that she had requested this report to seek Council's approval to a number of proposed changes. In particular to restrict call- in to full Council to items which are contrary to the budget or policy framework as the

current ability to call- in any item to full Council is not a legal requirement and can be confusing as it can raise public expectation that Council can override Cabinet or Portfolio Holder decisions, which it cannot. The recommended changes also sought to reduce the notice period for substitutions; raise the thresholds for key decisions and fully funded additions to the Capital Programme; clarify the rules for public speaking and streamline arrangements for the management of Cabinet agendas.

Councillor Jonathan Chilvers, Leader of the Green Group, moved the amendments set out below at **B** and was seconded by Councillor Sarah Boad.

## **B Elected Member Question Time**

(1) Amend (*as indicated*) the first sentence of Standing Order 7.1 to read:

‘At each ordinary council meeting a maximum of fifty minutes will be allocated for questions to the Leader, Cabinet Portfolio Holders, Chairs of Overview and Scrutiny Committees.’

(2) Amend the second paragraph of Standing Order 7.1 to read:

‘Any member may ask one or more questions provided it relates to Warwickshire. Any member may ask a supplementary question. No prior notice of any question is required. However, members are encouraged to provide at least three working days’ notice of questions to the head of paid service, in order that an informed answer may be given.’

The rest remains as printed

Councillor Jonathan Chilvers explained that the proposals in the report to reduce the length of time for member questions (from one hour to 30 minutes) and to not allow supplementary questions would greatly restrict the role of members to hold Cabinet members to account. Councillor Sarah Boad added that the move from no overall control to one political group being in control of the Council means it is even more important that there is an opportunity to publically ask questions of Cabinet and the Chairs of Overview and Scrutiny Committees (which were now all Conservative members). In addition the restriction to 30 minutes could mean some questions do not get asked and are left until the next meeting which could be months later.

Councillor Izzi Seccombe responded to the debate and indicated that she could accept the amendments subject to the proposed time limit being set at 40 minutes. This was accepted by the mover and seconder of the amendments. The Chair assured the Council that he would not cut off a question and answer where the question had been started before the 40 minute deadline.

Councillor Richard Chattaway, Leader of the Labour Group moved the amendments set out at **C-F** and was seconded by Councillor Jerry Roodhouse:



The Chair advised that the amendments at **C (2), C(4); and F (7)** would stand **deferred** to the Council meeting on 18 July 2017. (This is indicated against the amendments)

## **C Public Speaking**

(1) Amend (*as indicated*) the first sentence of Standing Order 34.2 to read:

‘The chair of a meeting shall have power to manage public speaking in a way that facilitates the proper and timely conduct of the meeting including placing a limit on the overall time allotted for public speakers up to a maximum of one hour.

The rest remains as printed

(2) Amend second paragraph of Standing Order 34.3 to read: **deferred**

‘Speakers at Council, Cabinet or Overview and Scrutiny Committee meetings may speak on any matter relevant to the remit of the Council, Cabinet or Committee.’

The rest remains as printed

(3) Amend Standing Order 34.4 to read:

‘Any member of the public who wishes to speak on an item must give notice in writing or by electronic means to the head of paid service at least two working days before the meeting.’

Any questions should be notified in writing or by electronic means and received by the head of paid service at least two working days before the meeting.’

The rest remains as printed.

(4) Amend Standing Order 34.6 to read: **deferred**

‘ Answers may take the form of either a direct oral answer or reference to a publication. Where an oral answer cannot immediately be given, a written answer may be given to the questioner as soon as practicable following the meeting. The chair of the meeting or someone nominated by the chair will normally respond to any questions. At meetings of the full Council the Leader or spokesperson of each political group shall have a right of response to any questions.’

The rest remains as printed.

## **D Key Decisions - Meaning**

(5) Amend Standing Order 12 to replace each reference to ‘£1,000,000’ with ‘£800,000’ (in line with inflation).

## **E Urgency**

(6) Add the following sentence to Standing Order 18:

‘All Group Leaders shall be informed in writing before the urgent decision is made.’

## **F Filming and use of social media at meetings**

(7) Add the following to Standing Order 44: ***deferred***

‘The Council shall use audio visual equipment to record all full Council and overview and scrutiny meetings and make these available online for a period of at least one year.’

Councillor Chattaway explained that he proposed the amendments in order to increase engagement with the public and enable them to put forward views and questions to the Leader and Chairs of Overview and Scrutiny Committees and make the Council a more open local authority.

Councillor Jerry Roodhouse, Leader of the Council, added that the amendments would help to encourage public engagement and that the requirement for two days notice from the public would allow time to prepare answers and help the management of the meeting.

Councillor Izzi Seccombe, in responding to the debate, put the view that there was no evidence to suggest a need to set a time limit of one hour for public speaking. Councillor Seccombe added that she accepted the amendment at **C3** but wished it to be understood that the notice is full (clear) working days. Following further explanation from Councillor Johnathan Chilvers, Councillor Seccombe also accepted the amendment at **E (6)**.

## **VOTE**

The amendment at **C (1)** - Standing Order 34.2 was put to the vote and was LOST  
The vote being 15 for and more against, with no abstentions.

The amendment at **D (5)** - Standing Order 12 was put to the vote and was LOST  
the vote being 20 for and more against.

The substantive motion was put to the vote and was CARRIED as set out below, the vote being 35 for, 1 against and 11 abstentions.

## **Resolved**

- (1) That the Council approves the revised Standing Orders set out in the appendix to the report subject to the following amendments:

### **Standing Order 7 Elected Member Question Time**

Amend the first sentence of Standing Order 7.1 to read:

'At each ordinary council meeting a maximum of *forty* minutes will be allocated for questions to the Leader, Cabinet Portfolio Holders, Chairs of Overview and Scrutiny Committees.'

Amend the second paragraph of Standing Order 7.1 to read:

'Any member may ask one or more questions provided it relates to Warwickshire. Any member may ask a supplementary question. No prior notice of any question is required. However, members are encouraged to provide at least three working days' notice of questions to the head of paid service, in order that an informed answer may be given.'

The rest remains as printed.

### **Standing Order 34 Public Speaking**

Amend Standing Order 34.4 to read:

'Any member of the public who wishes to speak on an item must give notice in writing or by electronic means to the head of paid service at least two working days before the meeting.'

Any questions should be notified in writing or by electronic means and received by the head of paid service at least two working days before the meeting.'

The rest remains as printed.

### **Standing Order 18 Urgency**

Add the following sentence:

'All Group Leaders shall be informed in writing before the urgent decision is made.'

- (2) That Council authorises the Joint Managing Director (Resources) to make the changes to the Council's Constitution that are necessary to reflect the Council's decision.

The following are DEFERRED for consideration by the Council at its next meeting on 18 July 2017:

### **Standing Order 34 – public speaking**

Amend to second paragraph of Standing Order 34.3 to read:

'Speakers at Council, Cabinet or Overview and Scrutiny Committee meetings may speak on any matter relevant to the remit of the Council, Cabinet or Committee.'

Amend Standing Order 34.6 to read:

‘ Answers may take the form of either a direct oral answer or reference to a publication. Where an oral answer cannot immediately be given, a written answer may be given to the questioner as soon as practicable following the meeting. The chair of the meeting or someone nominated by the chair will normally respond to any questions. At meetings of the full Council the Leader or spokesperson of each political group shall have a right of response to any questions.’

#### **Standing Order 44 – Filming and use of social media**

Add the following

‘The Council shall use audio visual equipment to record all full Council and overview and scrutiny meetings and make these available online for a period of at least one year.’

#### **10. Monitoring of Decisions under the Urgency and Call-in Procedures**

Councillor Izzi Seccombe, Leader of the Council, presented the annual monitor of the use of urgency and of call-in and assured members that whilst there had been instances of urgency that could not be avoided (such as the need to respond quickly to meet consultation timescales set by Government), action was being taken to address those instances of urgency that should have been avoidable.

Councillor Seccombe moved that the Council note the report and was seconded by Councillor Peter Butlin. The motion was put to the vote and was carried.

#### **Resolved**

That the Council notes the report.

#### **11. Any other items of urgent business.**

There were no further items of business.

The meeting closed at 11.40 a.m.

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Chair