

NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

Meeting of the Council
This was a virtual meeting
on Thursday, 16th April, 2020 at 4.00 pm

PRESENT: Councillors: Jean Green (Chair), Terry Tyler (Vice-Chair), Ian Albert, Daniel Allen, Kate Aspinwall, Judi Billing, Sam Collins, Morgan Derbyshire, Simon Harwood, Terry Hone, Steve Jarvis, David Levett, Gerald Morris, Lisa Nash and Martin Stears-Handscomb

IN ATTENDANCE: Jeanette Thompson (Service Director - Legal and Community), Ian Couper (Service Director - Resources), Melanie Stimpson (Democratic Services Manager), Hilary Dineen (Committee, Member and Scrutiny Manager), Matthew Hepburn (Committee, Member and Scrutiny Officer), Howard Crompton (Service Director - Customers), Vic Godfrey (I T Manager) and Mark Robinson (IT Network and Infrastructure Manager)

81 WELCOME AND INTRODUCTION

Audio Recording – Session 1 – 14 seconds

The Chair welcomed everyone to this virtual Extraordinary Council meeting that was being conducted with Members and Officers at various locations, communicating via audio/video and online and advised that there was the opportunity for the public and press to listen and view proceedings.

The Chair invited the Committee, Member and Scrutiny Manager to explain how proceedings would work and to confirm that Members were in attendance.

The Committee, Member and Scrutiny Manager advised the following:

Attendance

With the agreement of the Group Leaders, the meeting would operate with the quorate number plus one additional Member from each group being 15 Members in total.

A roll call was undertaken to confirm that the required Members were present and could hear and be heard..

If for any reason the meeting was not quorate an Officer interject the meeting and the meeting would adjourn immediately. Once the meeting was quorate the meeting would resume.

Only Members present during the entire debate for an item were entitled to vote. If a Member had been cut off during the debate for longer than a few minutes and re-joined the meeting, then they would not be able to vote on that item.

Virtual Meeting

As this was NHDC's first virtual meeting, Members were asked to be guided by officers and be patient as things may take longer than usual.

There had been a significant amount of work going on behind the scenes and given the time constraints of when the regulations were enacted to now, we must be prepared and be kind, if there are technical glitches and be mindful of each of our individual personal circumstances that we are operating in.

Noise Interference

The Committee, Member and Scrutiny Manager asked all in attendance to ensure that mobile phones were muted.

Participants should activate the mute button when not speaking, otherwise it may be difficult to hear what was being said with background noise and were reminded to unmute themselves when invited by the Chair to address Council.

If participants had activated their camera, please be mindful that they could be seen.

Participants were asked to show respect to each other and do not talk over someone who was already speaking or interject uninvited.

Participants were asked to state their name each time before they spoke.

Rules of Debate

If a Member wished to speak they should use the hand/request to speak symbol and this would alert the moderator. The moderator would inform the Chair of the names of the speakers, who should wait to be invited by the Chair to address the Council meeting.

Those wishing to speak would need to be enabled to speak by one of the moderators and would then need to accept the request to speak on their screen.

Members were reminded that the normal procedure rules in respect of debate and times to speak would apply.

No speeches may be made after the mover had moved a proposal and explained the purpose of it until the motion had been seconded.

When seconding a motion or amendment, a Member may reserve their speech until later in the debate.

Members were reminded that, in accordance with the Constitution, no speech should exceed five minutes without the consent of the Chair

If a Member had a closure motion, personal explanation or point of order, they must indicate this by sending a message in the chat facility, as there was no way for them to interject the meeting. The Chair would be notified of the request.

Officers were advised that, if they needed to address the Council at any point during proceedings, to aid discussions, they should respectfully interject and await a response before addressing the Chair or the Council.

Voting

When satisfied that there had been sufficient debate, the Chair would request that the Committee, Member and Scrutiny Manager read out the recommendation that Members would be voting upon, following which the Committee, Member and Scrutiny Manager would call out the name of each member present. When called Members would be required to clearly state either 'for', 'against' or 'abstain' to indicate their vote.

The Committee, Member and Scrutiny Manager would then clearly state the result of the vote and the Chair would then move onto the next agenda item.

Details of how Members voted would not be kept or minuted unless a Recorded Vote was requested or an individual requested that their vote be recorded, although this would be heard on the audio and video recordings of the meeting.

In the event of a tied vote the Chair would have the casting vote.

In response to a question the Service Director - Legal and Community advised that the new legislation required that Members be present for the item and that, with all discretion, two minutes would be the maximum amount of time a Member could be absent from the meeting and still retain the ability to vote.

The Chair of the Council, Councillor Jean Green started the meeting proper.

82 APOLOGIES FOR ABSENCE

Audio recording – Session 1 – 12 minutes 52 seconds

There were no apologies for absence.

83 CHAIR'S ANNOUNCEMENTS

Audio recording – Session 1 – 12 Minutes 58 seconds

(1) Audio Recording

In accordance with Council policy this meeting was being audio recorded as well as filmed. The audio and film recordings would be available to view on Mod.gov and the film recording via the NHDC Youtube channel.

(2) Climate Emergency

Members were reminded that this Council had declared a Climate Emergency. This was a serious decision and meant that, as this was an emergency, all of us, officers and Members had that in mind as we carried out our various roles and tasks for the benefit of our District.

(3) Declarations of Interest

Members were reminded to make declarations of interest before an item, the detailed reminder about this and speaking rights was set out under Chair's Announcements on the agenda.

(4) Attendance

The Chair advised that there was no public participation. However, members of the public and press could view and hear the meeting remotely regarding the Part 1 session. Members of the public and press would be removed from the meeting by passing the usual resolution under the access to information procedure rules.

(5) Rules of Debate

The Chair reminded Members that they may only speak once on a motion and once on any amendments.

(6) Order of Business

The Chair advised that she would be taking the Part 2 Item 6 - Referral from the Employment Committee after the introduction at Item 3. The meeting would then return to Part 1 Item 3 to confirm the decision. Following which Agenda Item 4 Senior Management Report would be considered.

84 REFERRAL FROM EMPLOYMENT COMMITTEE: 17 MARCH 2020 - SENIOR MANAGEMENT ARRANGEMENTS

Audio Recording – Session 1 - 14 minutes 21 seconds

The Leader of the Council introduced the referral from the Employment Committee meeting held on 17 March 2020 regarding Senior Management Arrangements.

Councillor David Levett proposed and Councillor Morgan Derbyshire seconded that:

The meeting be adjourned for up to 3 months to allow all Elected Members to take part in the decision making process and allow more clarity on the Councils position with regard to the current Coronavirus emergency and it's consequential impact on budget and organisational position.

At this point the meeting moved into Part 2 to consider the motion and Item 6 (Minute 87 refers).

Audio Recording – Session 2 – 40 seconds

Following consideration of Item 6 the meeting returned to Part 1

It was noted that Councillor David Levett had intended to propose a motion but had lost connection to the meeting. He was able to reconnect to the meeting but declared that he would be unable to take further part in this item as he believed that he had missed part of the debate.

Councillor Judi Billing proposed and Councillor Steve Jarvis seconded the recommendations contained in the Part 1 report.

Councillor Martin Stears-Handscomb proposed and Councillor Steve Jarvis seconded that the recommendations contained in the Part 2 report be confirmed.

Upon the vote it was:

RESOLVED: That Anthony Roche be appointed to the new Managing Director post, being effective on 18 July 2020.

REASON FOR DECISION: Following the decision by Council on 27th February 2020 it is necessary to consider an appointment to the post of Managing Director.

85 SENIOR MANAGEMENT REPORT

Audio Recording – Session 2 – 12 minutes 55 seconds

The Leader of the Council presented the report entitled Senior Management Report

Councillor Martin Stears-Handscomb proposed and Councillor Steve Jarvis seconded the recommendations contained in the report.

The following Members took part in the debate:

- Councillor David Levett;
- Councillor Martin Stears-Handscomb;
- Councillor Gerald Morris.

In response to questions the Leader of the Council confirmed that Group Leaders would be involved in the consultation discussions. In respect of the salary for the Deputy Managing Director, the amount paid would reflect the amount of time spent undertaking that role. In respect of redundancy payments, this would be paid from reserves and had already been budgeting for.

Upon the vote it was:

RESOLVED:

- (1) That Council agrees to the principle of one of the Service Directors being designated as the deputy to the Managing Director, and that individual will receive additional salary to compensate for the additional responsibility. This will be subject to consultation.
- (2) That Council confirms that the recruitment of a Service Director to be designated as the Deputy for the Managing Director would be made by the Head of Paid Service, in consultation with the Leader of the Council and the future Head of Paid Service.
- (3) That Council notes the forecast savings of around £124k and that this will be reflected in the budget setting process for 2021/22 onwards.
- (4) That Council instructs the Monitoring Officer to make the necessary amendments to the Constitution in respect of the roles of Managing Director and Deputy Managing Director to be reported to Council in July.
- (5) That Council instructs the Chief Finance Officer to make the necessary amendments to the Financial Regulations in respect of the roles of Managing Director and Deputy Managing Director to be reported to Council in July.
- (6) That Council agrees that the salary of the Managing Director is reviewed during 2022/23 to ensure that it competitive against other similar roles, subject to affordability in relation to the Council's budget position.

REASONS FOR DECISIONS: To provide resilience when the Managing Director is absent. To ensure that the Constitution and Financial Regulations reflect the new senior management structure.

86 EXCLUSION OF PRESS AND PUBLIC

Audio Recording – Session 1 – 18 minutes 18 seconds

RESOLVED: That under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting on the grounds that the report will involve the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the said Act (as amended).

87 REFERRAL FROM EMPLOYMENT COMMITTEE

This item was not audio recorded due to the confidential nature of the discussions regarding the referral.

This Item was discussed following the introduction of Item 3 (Minute 84 refers), but prior to the decision for that item being made.

The motion proposed by Councillor Levett at Item 3 that the meeting be adjourned for up to 3 months to allow all Elected Members to take part in the decision making process and allow more clarity on the Councils position with regard to the current Coronavirus emergency and it's consequential impact on budget and organisational position (Minute 84 refers) was debated.

The following Members took part in the debate:

- Councillor Martin Stears-Handscomb
- Councillor Gerald Morris
- Councillor Judi Billing
- Councillor Kate Aspinwall
- Councillor Steve Jarvis
- Councillor Lisa Nash
- Councillor Terry Hone
- Councillor Ian Albert
- Councillor Daniel Allen

Councillor Allen called for a recorded vote on the proposal the result being as follows:

For:

Councillors: Morgan Derbyshire, Jean Green, Simon Harwood, Terry Hone, David Levett and Gerald Morris.

Total: 6

Against:

Councillors: Ian Albert, Daniel Allen, Kate Aspinwall, Judi Billing, Sam Collins, Steve Jarvis, Lisa Nash, Martin Stears-Handscomb and Terry Tyler.

Total: 9

Therefore the motion was lost.

The Leader of the Council presented the Part 2 referral from the Employment Committee.

Councillor Martin Stears-Handscomb proposed and Councillor Judi Billing seconded the recommendations contained in the referral.

Councillor David Levett proposed and Councillor Morgan Derbyshire seconded an amendment.

The following Members took part in the debate:

- Councillor Martin Stears-Handscomb
- Councillor Steve Jarvis
- Councillor Simon Harwood
- Councillor Judi Billing

- Councillor Lisa Nash
- Councillor Gerald Morris
- Councillor Kate Aspinwall

Following debate and upon the vote the motion was lost.

Upon the vote it was:

RESOLVED: That Anthony Roche be appointed to the new Managing Director post, being effective on 18 July 2020.

REASON FOR DECISION: Following the decision by Council on 27th February 2020 it is necessary to consider an appointment to the post of Managing Director.

The meeting returned to Part 1 to confirm the decision in public (Minute 84 refers).

88 MEETING CLOSURE AND THANKS

Audio recording – Session 2 – 27 Minutes 51 seconds

The Chairman expressed appreciation to officers for the work undertaken to get to enable this virtual meeting to take place. She acknowledged that the amount of work should not be underestimated, particularly in the current circumstances.

The meeting closed at 5.52 pm

Chair