

Minutes of the Meeting of the General Services Committee held on 3 May 2017 at 7.00 pm

Present: Councillors Robert Gledhill, Shane Hebb, Mark Coxshall,
Barbara Rice, Graham Snell and Angela Sheridan (Substitute)

Apologies: Councillors John Kent and Roy Jones

In attendance: Lyn Carpenter, Chief Executive
Jackie Hinchliffe, Director of HR, OD & Transformation
David Lawson, Deputy Head of Legal & Monitoring Officer
Karen Wheeler, Director of Strategy, Communications and
Customer Service
Matthew Boulter, Democratic & Governance Services Manager
and Deputy Monitoring Officer

Before the start of the Meeting, all present were advised that the meeting may be filmed and was being recorded, with the audio recording to be made available on the Council's website.

19. Minutes

The meeting of the General Services Committee held on 7 December 2016 was approved as a correct record.

20. Items of Urgent Business

The Chair highlighted to the committee that a response to the consultation on merging Fire and Police governance arrangements had been emailed to group leaders. Roger Hirst, the Police Crime Commissioner (PCC) for Essex, was invited to speak and informed the committee that his office was supporting a collaborative option between the two services. A business case had highlighted the potential to save £30 million through this collaboration.

The committee debated the issue and through this debate it was confirmed that a collaborative option would maintain the distinct professional roles of Fire and Police services but would look to merge legal, HR and other back office functions, including the potential to merge control rooms. It was added that trades unions had been consulted and there was particular enthusiasm in the Fire Service for new governance arrangements following recent events.

Essex County Council and Southend Council had supported the collaborative option and it was hoped a preferred option could be presented to the Home Office in the autumn. Councillor Rice clarified that collaboration would not mean a 'blank cheque' for the PCC and there would be no fire station closures and staff terms and conditions would remain unchanged.

21. Declarations of Interests

There were no declarations of interest

22. Review of Electoral Arrangements - Outcome of Public Consultation

The Monitoring Officer introduced the report stating it represented the outcome of the twelve week public consultation. The Chair noted that 60% of respondents were in favour of the change to four yearly elections with 40% favouring the current system of election in thirds. Councillor Rice and Snell both highlighted that the response rate was incredibly low and if the responses of councillors and their close contacts were removed, then the response was even lower.

The committee recognised this fact but Councillor Coxshall suggested that governance and elections would not be a popular or engaging subject for the electorate and only those specifically interested in it may engage in the consultation.

Councillor Rice felt four yearly elections could lead to political parties struggling for quality candidates but other Members felt this was an issue for the parties and that the electorate would ultimately decide the quality of the candidate through the vote. There was discussion on whether four yearly elections could result in a large inexperienced body of Members but it was counter argued that there was always Members who held onto their seats and therefore there would always be an experienced element in the chamber.

Councillor Hebb highlighted the cost savings to changing electoral arrangements while Councillor Snell stated that a four yearly election did not guarantee an efficient decision making process as the election could still return a hung council.

In light of the varied nature of opinion the Chair requested a recorded vote on the recommendations. Councillors Snell, B. Rice and Sheridan voted in favour of elections in thirds (the current system) while Councillors Coxshall, Gledhill and Hebb voted in favour of four yearly elections. Cllr Gledhill cast his deciding vote as Chair in favour of four yearly elections.

RESOLVED: That:

- 1. The Committee note the result of the public consultation and recommend to a special Full Council the preferred option of four yearly elections.**
- 2. The Committee note that a special meeting of Full Council will need to be convened in the next few months and no later than November 2017 to consider the Committee's recommendations and the results of the consultation for Full Council to determine any change in its electoral governance arrangements.**

23. Procedure for a ward petition calling for a vote of no confidence or censure of an elected Member and calling for voluntary resignation

The Monitoring Officer introduced the report stating it was a product of a resolution at Council in July 2016 to investigate a right of recall for councillors. The issues involved had been developed over a number of months and had been subject to discussion at Governance Group. Only Kingston Town Council had introduced a recall scheme and officers felt it was not one Thurrock should emulate.

There were current procedures in place for residents to enact a council debate with petitions of 1500 signatures and officers had developed this to include the possibility of debating a Member's performance as a ward representative. It was clarified that a Member could not be forced to resign or be withdrawn from office and it was suggested that the suggested procedure could be sent to the Secretary of State for comment.

The Committee had differing views on the suggestion. Councillor Coxshall felt it was a good start and suggested whether Members could additionally sign up for financial penalties if they were not performing appropriately. Councillor Rice felt there were already rigorous procedures in place for reviewing Members and highlighted that one complaint against a councillor was dealt with in a detailed way by the monitoring officer. The suggestion of collecting a petition could encourage a 'witch hunt' mentality which was not conducive to democracy. It was added that legislation already prescribed eight categories under which a councillor could be removed from office.

Councillor Snell felt that having the procedure would only reassure residents and could encourage them to pursue other options to challenge their elected representatives.

Councillor Coxshall thought Members should focus more on policy and strategy and not the detail of governance this suggestion was promoting, although Councillor Hebb felt that fundamentally residents should have the right to have a say if they did not think their ward Members were doing a good job.

The Committee generally agreed that the Secretary of State should be approached and a meeting sought with them to discuss the proposed procedure. Officers agreed to look into the further suggestions raised by the Committee as well.

RESOLVED: That:

- 1. Officers undertake further research on the suggested procedures.**
- 2. Officers write to the Secretary of State to gather input on the proposed procedure.**

24. Informal Discussion on Chief Executive's Performance Development Review

Members held a very brief informal discussion.

25. Chief Executive Performance Appraisal

The Committee moved very briefly into exempt session to see whether any Members had any comments on the Chief Executive's appraisal. In public session the Director of Human Resources stated that staff welcomed the chance to offer an appraisal of the Chief Executive and saw it as a positive exercise.

The Committee agreed to award the Chief Executive an overall rating of 2 and Members offered their views on what the final comments should include: Councillor Hebb stated the Chief Executive had worked very effectively in a politically dynamic environment and she had reached out to councillors personally to aid decision making. He also felt the external and internal appraisals from staff and organisations offered a good calibration of Lyn's performance.

Councillor Rice thought the Chief Executive had worked well in a challenging borough and invited her to visit the borough in the coming months to build relationships with residents at a time when they felt embattled with highways development and potential hospital closures. Councillor Sheridan echoed these comments and felt the Chief Executive was always very approachable. Councillor Snell observed that the Chief Executive was the right person at the right time and welcomed the challenge he got from her on issues.

The Chief Executive stated she had not selected the people who had taken part in the appraisal and welcomed their constructive comments. She also stated that she hoped Members would call her direct if they had any concerns or issues and not wait until a year performance review.

The Committee agreed the objectives set for the coming year but noted that these could be amended to align with the new visions and priorities that could be introduced later in the year.

RESOLVED: That:

- 1. The Chief Executive is awarded an overall rating of 2 for the year 2016-17. The above comments be taken into account when finalising the summary comments.**
- 2. The objectives for 2017-18 are agreed subject to a mid-year review when new visions and priorities may have an impact.**

The meeting finished at 8.22 pm

Approved as a true and correct record

CHAIR

DATE

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Democratic Services at Direct.Democracy@thurrock.gov.uk**