

Council

Monday, 13th May, 2013
5.00 - 5.27 pm

Attendees	
Councillors:	Wendy Flynn (Chair), Colin Hay, Andrew Chard, Garth Barnes, Ian Bickerton, Nigel Britter, Chris Coleman, Barbara Driver, Bernard Fisher, Jacky Fletcher, Rob Garnham, Penny Hall, Tim Harman, Rowena Hay, Peter Jeffries, Steve Jordan, Andrew Lansley, Paul Massey, Helena McCloskey, Andrew McKinlay, Paul McLain, John Rawson, Anne Regan, Chris Ryder, Diggory Seacome, Charles Stewart, Klara Sudbury, Jon Walklett, Simon Wheeler (Vice-Chair), Roger Whyborn and Suzanne Williams

Minutes

1. A MOMENT OF REFLECTION

Reverend Robert Pestell invited members to take a moment of reflection.

The Mayor took the opportunity to welcome newly elected Councillor Chris Ryder.

2. APOLOGIES

Councillors Godwin, Stennett, Thornton, Holliday and Smith had given their apologies.

3. ELECTION OF THE MAYOR 2013-2014

Councillor Wendy Flynn was proposed for the office of Mayor by Councillor Walklett and seconded by Councillor Ryder.

Upon a vote it was unanimously

RESOLVED that Councillor Wendy Flynn be, and is hereby, elected Mayor of the Borough of Cheltenham and Council chairman for the ensuing year.

Councillor Hay congratulated the Mayor on her election.

The Chief Executive invited the Mayor to sign a Declaration of Acceptance of Office of Council chairman for the ensuing municipal year 2013 – 2014.

The Mayor, Councillor Wendy Flynn took the chair.

4. ELECTION OF THE DEPUTY MAYOR 2013-2014

Councillor Whyborn proposed Councillor Simon Wheeler for the office of Deputy Mayor, seconded by Councillor Fletcher.

Upon a vote it was unanimously

RESOLVED that Councillor Simon Wheeler be, and is hereby, elected Deputy Mayor of the Borough of Cheltenham and Council vice-chairman for the ensuing year.

The Mayor congratulated Councillor Simon Wheeler on his appointment and looked forward to working with him over the coming year.

The Chief Executive invited the Deputy Mayor to sign a Declaration of Acceptance of Office of Council vice-chairman for the ensuing municipal year 2013 – 2014.

5. DECLARATIONS OF INTEREST

No interests were declared.

6. MINUTES OF THE LAST MEETING

The minutes of the last meeting had been circulated with the agenda.

The Leader asked that the minute of his communications at the last meeting be amended to better reflect the fact that he very much hoped the incinerator would be a topic of conversation at the waste partnership meetings.

Upon a vote it was unanimously

RESOLVED that the minutes of the meeting, as amended, held on the 25 March 2013 be agreed and signed as an accurate record.

7. COMMUNICATIONS BY THE MAYOR

The Mayor thanked Councillor C. Hay for his hard work as Mayor over the previous year and welcomed Councillor Ryder, congratulating her on her recent election as ward member for Warden Hill.

She also took the opportunity to give her best wishes and thanks to Saira Malin, Democracy Officer, who had supported Council and would soon be leaving for maternity leave.

8. COMMUNICATIONS BY THE LEADER OF THE COUNCIL

The Leader gave congratulations to the Mayor and Deputy Mayor on their election and wished them well for the coming year. He welcomed back Councillor Ryder and congratulated her on her recent election and thanked Councillor C. Hay for the great deal he had done for the town in his time as Mayor.

9. NOTICES OF MOTION

No notices of motion had been received.

10. TO RECEIVE PETITIONS

No petitions were submitted, nor had any been received since the last meeting.

11. ANY OTHER ITEM THE MAYOR DETERMINES AS URGENT AND WHICH REQUIRES A DECISION

The Mayor referred members to the report which had been circulated at the start of the meeting.

The Cabinet Member Corporate Services introduced the report which related to committee appointments following the Warden Hill bi-election on the 2 May 2013 and set out the proposed changes to some committees/groups to achieve political balance or fill vacancies.

Councillor Garnham, spoke on behalf of the Conservatives. He firstly congratulated the Mayor and Deputy Mayor on their appointment, thanked Councillor C. Hay for all he had done during his time as Mayor and passed on his congratulations to Councillor Ryder on her election. He explained that there would probably be further changes to committee membership and whilst not in a position to arrange them at this time he would undertake to do this in the coming months within the legal framework.

The Mayor invited nominations for the Chair of the Appeals Committee. Councillor Sudbury was nominated by Councillor McCloskey, which was seconded by Councillor C. Hay and upon a vote this nomination was CARRIED.

Upon a vote it was unanimously

RESOLVED that;

- 1. The amendments to the membership of the Appointments and Remuneration Committee, the Overview and Scrutiny Committee, the Appeals Committee and Planning Committee as set out in the report, be approved;**
- 2. Councillor Hall be appointed as vice-chair of the Planning Committee;**
- 3. Councillor Sudbury be appointed as the chair of the Appeals Committee.**

12. LOCAL GOVERNMENT ACT 1972 -EXEMPT INFORMATION

Upon a vote it was unanimously

RESOLVED that in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraph 1 and 3, Part (1) Schedule (12A) Local Government Act 1972, namely:

Paragraph 1; Information relating to any individual.

Paragraph 3; Information relating to the financial or business affairs of any particular person (including the authority holding that information)

13. EXEMPT MINUTES

The exempt minutes of the last meeting had been circulated with the agenda.

The list of attendees was amended so as not to include those that had left prior to this item being discussed.

Upon a vote by those that had been present, it was unanimously

RESOLVED that the exempt minutes, as amended, of the meeting held on the 25 March 2014 be agreed and signed as an accurate record.

Wendy Flynn
Chair

**Cheltenham Borough Council
Council**

Committee appointments following Warden Hill bi-election

Accountable member	Cabinet Member Corporate Services, Councillor Jon Walklett
Accountable officer	Chief Executive, Andrew North
Ward(s) affected	All
Significant Decision	No
Executive summary	<p>Since the resignation of Councillor Teakle (Lib Dem) in March 2013 there has been a vacancy on the Council and on the committees and the working groups where Councillor Teakle was a member. Following the election of Councillor Ryder (Conservative) at the bi-election on 2 May there has been a slight change to the political balance of the Council from 25 Lib Dems, 11 Conservatives and 4 PABS to 24,12,4 respectively.</p> <p>This impacts on the following committees/groups appointed by Council where the Conservatives are entitled to gain one member whilst the Lib Dems should lose one.</p> <p>Appointments and Remuneration Committee - 9 members Was (2 Con, 6 Lib Dem, 1 PAB) and is now (3 Con, 5 Lib Dem and 1 PAB)</p> <p>Treasury Management Panel - 9 members Was (2 Con, 6 Lib Dem, 1 PAB) and to be exactly politically balanced it would be (3,5,1). The requirement is for this panel to be cross party rather than exactly politically balanced so members may want to leave this panel as it stands.</p> <p>There are also Lib Dem vacancies on the following committees/groups;</p> <p>O&S Committee - 1 member vacancy</p> <p>Appeals Committee - 1 member vacancy and a chair vacancy</p> <p>Appointments Committee - 1 substitute vacancy</p> <p>Joint Planning and Liaison Group - 1 member vacancy</p> <p>The chairs and vice-chairs for all committees were elected at Selection Council on 14 May 2012 and so on that basis any changes should be agreed by Council.</p> <p>Regarding outside bodies, Cllr Teakle was the representative on the Brizen Young People's Centre so this is a vacancy. The process is for Group Leaders to make a nomination and if there is Group Leader agreement this can be agreed by Cabinet.</p> <p>The Group Leaders were advised of the position on 7 May 2013 and their nominations are set out in the table below.</p>

Committee/ working group	Lib Dem	Conservative	Council decision required
Appointments and Remuneration Committee	Cllr Wheeler to step down and become a substitute	Cllr Garnham to join the committee (was a substitute)	Council to agree new committee composition and appointments
Treasury Management Panel	Cllr Barnes will stand down if required	No nomination	No action required
Overview and Scrutiny	Cllr Stewart to join the committee	No change	Council to note
Appeals Committee	Cllr Thornton to join the committee	No change	Council to note Council to appoint a new chair
Planning Committee	Cllr Walklett standing down and becoming as a reserve and will be replaced by Cllr Sudbury	Cllr Fletcher to stand down as vice chair and be replaced by Cllr Hall	Council to note new Lib Dem appointment and appoint new vice-chair.
Joint Planning and Liaison Group	Cllr Wheeler nominated		No action from Council as scrutiny task groups are not appointed by Council

Recommendations

We therefore recommend that Council approve:

Amendments to the membership of the Appointments and Remuneration Committee, the Overview and Scrutiny Committee, the Appeals Committee and Planning Committee as set out in the table

Councillor Hall to be appointed as vice-chair of Planning Committee to replace Councillor Fletcher

A Councillor be appointed to chair the Appeals Committee from the membership listed in Appendix 1

Financial implications	No financial implications
Legal implications	None Contact officer: Sara Freckleton, Borough Solicitor sara.freckleton@teWKesbury.gov.uk, 01684 272012
HR implications (including learning and organisational development)	None
Key risks	None
Corporate and community plan Implications	None

Report author	Contact officer: Rosalind Reeves, Democratic Services Manager, Rosalind.reeves@cheltenham.gov.uk, 01242 77 4937
Appendices	1. Current membership of the Appeals Committee
Background information	1. Minutes of Selection Council 14 May 2012

Appendix 1**Proposed membership of the Appeals Committee****Chairman to be appointed from:**

Councillor Hall
Councillor McCloskey
Councillor Sudbury
Councillor Thornton
Councillor Godwin
Councillor Harman (sub)

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Page 8