



# GREAT YARMOUTH BOROUGH COUNCIL

## Council

**Date:** Thursday, 18 May 2023

**Time:** 19:00

**Venue:** Council Chamber

**Address:** Town Hall, Hall Plain, Great Yarmouth, NR30 2QF

### AGENDA

#### Open to Public and Press

#### **1 APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

#### **2 DECLARATIONS OF INTEREST**

You have a Disclosable Pecuniary Interest in a matter to be discussed if it relates to something on your Register of Interests form. You must declare the interest and leave the room while the matter is dealt with.

You have a Personal Interest in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

You must declare a personal interest but can speak and vote on the matter.

Whenever you declare an interest you must say why the interest arises, so that it can be included in the minutes.

**3 ELECTION OF MAYOR FOR THE 2023/24 MUNICIPAL YEAR**

**4 VOTE OF THANKS TO OUTGOING MAYOR**

**5 ELECTION OF DEPUTY MAYOR FOR THE 2023/24 MUNICIPAL YEAR**

**6 APPOINTMENT OF MAYORS CHAPLAIN - FOR THE 2023/24 MUNICIPAL YEAR**

**7 PRESENTATION TO MAYOR'S CONSORT**

**8 PRESENTATION TO MAYOR'S CADET**

**9 MINUTES**

**5 - 8**

To confirm the minutes of the meeting held on the 13 April 2023.

**10 PUBLIC QUESTION**

Council are asked to consider the following question from the Great Yarmouth & District Trades Union Council :-

The Great Yarmouth and District Trades Union Council would like to question what the Council knows about the quality of the water in the Trinity group of Broads, where the Boroughs drinking water extraction takes place?

Due to the spraying of various chemicals and the use of irrigation that takes place with local salad crop production on surrounding land, surely GYBC should be monitoring the situation by taking independent water samples. If you are not, then can you please explain why?

**11 ELECTION OF LEADER OF THE COUNCIL FOR THE 2023/24 MUNICIPAL YEAR**

**12 TIMETABLE OF MEETINGS FOR THE 2023/24 MUNICIPAL YEAR**

To follow.

**13 APPOINTMENT OF COMMITTEE MEMBERSHIPS 2023/24**

To follow.

**14 APPOINTMENT OF CHAIRS AND VICE-CHAIRS FOR THE MUNICIPAL YEAR 2023/24**

To follow.

**15 WORKING GROUP MEMBERSHIPS FOR THE MUNICIPAL YEAR 2023/24**

To follow.

**16 APPOINTMENTS TO OUTSIDE BODIES FOR THE MUNICIPAL YEAR 2023/24**

To follow.

**17 GREAT YARMOUTH BOROUGH COUNCIL ELECTION - THURSDAY 4 MAY 2023 9 - 13**

Council are asked to note the Licensing and Elections Manager's report which provides the results of the Local Elections held on Thursday 4 May 2023.

**18 PERMISSION TO UNDERTAKE A REVIEW OF THE MEMBERS' SCHEME OF ALLOWANCES BASED UPON AN EXECUTIVE MODEL OF GOVERNANCE 14 - 15**

Report attached.

**19     CHANGE TO EXECUTIVE MODEL OF GOVERNANCE AND                             **16 - 18**  
**ADOPTION OF NEW CONSTITUTION****

Report attached.

**20     INTERIM APPOINTMENT OF EXECUTIVE DIRECTOR -                             **19 - 21**  
**PROPERTY AND HOUSING ASSETS****

Report attached.

**21     MAYOR'S ANNOUNCEMENTS**

**22     EXCLUSION OF PUBLIC**

In the event of the Committee wishing to exclude the public from the meeting, the following resolution will be moved:-

"That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12(A) of the said Act."



**GREAT YARMOUTH**  
BOROUGH COUNCIL

# Council

## Minutes

Thursday, 13 April 2023 at 19:00

### PRESENT:-

His Worship, The Mayor, Councillor Plant; Councillors Annison, Bensly, Bird, Borg, Candon, Cameron, G Carpenter, P Carpenter, Cordiner-Achenbach, Fairhead, Flaxman-Taylor, Freeman, Galer, Grant, Hanton, D Hammond, P Hammond, Jeal, Lawn, Martin, Mogford, Myers, Robinson-Payne, Smith, Smith-Clare, Stenhouse, Talbot, Thompson, Wainwright, Waters-Bunn, B Walker, C Walker, Wells, Williamson, A Wright & B Wright.

Ms S Oxtoby (Chief Executive Officer), Ms C Whatling (Monitoring Officer), Ms K Sly (Finance Director), Mrs S Wintle (Corporate Services Manager), Mr M Brett (IT Support), Mr T Williams (Media & Comms Manager) & Mrs C Webb (Democratic Services Officer).

### **1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Freeman.

His Worship, The Mayor, asked Council stand for a minute's silence in remembrance of the late Councillor Marsden & Councillor Peek.

### **2 DECLARATIONS OF INTEREST**

There were no declarations of interest declared at the meeting.

### **3 NEW CONSTITUTION FOR THE EXECUTIVE MODEL OF GOVERNANCE**

Council received and considered the report from the Monitoring Officer.

The Monitoring Officer reported that the report presented a new Constitution for the executive model of governance, both due to take effect as from the Annual Meeting of Council following the elections in May.

The Monitoring Officer reported that the key changes from the existing Constitution were outlined at paragraphs 2.2 and 2.3 of the report, while the material which remained unchanged was listed at paragraph 2.1.

The Monitoring Officer reported that since publication of the report and document, the Chief Executive had asked that she review the provisions around pre-scrutiny. The published version in the agenda pack provided for all key decisions to pass through pre-scrutiny. These provisions appeared in Article 16 which sets out the overall role of Scrutiny Committee. Having reviewed the number of key decisions, at least 20 would have been taken by P & R Committee alone over the past year, it was felt that this would be obstructive to the efficient conduct of business and also that it was not consistent with the practice of other Norfolk authorities. Therefore, it was now recommended that any pre-consideration by Scrutiny Committee be limited to the Budget and Policy Framework documents only. These can be found in Article 9.

This amendment is reflected in the pages which had been circulated to Members and published as Appendix 1 on CMIS this evening. This change of course did not impact on the call-in powers of Scrutiny Committee.

The recommendation was now amended to read as follows:-

That Council approve the form of the Constitution attached to this report, as amended by papers circulated as Appendix 1, to be taken forward for formal adoption and with effect as from the Annual Meeting of Council in May 2023.

The Leader moved the report with the proposed amendment. The Leader informed Council that the Constitution was a living document which could be amended as the new Council evolved.

Councillor Wainwright reported that he supported the amendments to the Constitution as discussed at the Member Working Group and reiterated that it was a living document which could change and evolve over time.

Councillor Williamson reported that he accepted the amendments and fully supported the changes which brought the Constitution in line with other Local Authorities.

Proposer: Councillor Smith

Seconder: Councillor Candon

That Council approve the form of the Constitution attached to this report, as amended by papers circulated as Appendix 1, to be taken forward for formal adoption and with effect as from the Annual Meeting of Council in May 2023.

CARRIED

It was requested that the following abstentions be recorded in the minutes:-  
Councillors Jeal, Martin, Myers, Talbot, B Walker & Waters-Bunn.

#### **4 PENSION ADMISSION AND POOLING**

Council received and considered the report from the Section 151 Officer

The Leader of the Council reported that following the establishment from 1 April 2023 of Great Yarmouth Services Limited which was wholly owned by the borough council, this report was seeking approval that an application be made to the Norfolk Pension fund to pool Great Yarmouth Services Ltd with the other Council pension arrangements from 1 April 2023.

The Leader of the Council explained that this would mean that the company would pay the same employer contribution rate as that paid by the borough council which would be lower than that currently paid by the company. This would clearly provide a financial benefit to the company with no impact on the employee benefits for either GYS or GYBC employees.

There would be no changes to the risk facing the Council in that the current pension position, or that under the previous arrangements for Great Yarmouth Borough Services, was underwritten by the Council.

The Leader of the Council reported that if approved by the Council, the Council would then make the application to the Norfolk Pension fund for this to take effect from 1 April 2023.

Councillor B Walker asked for clarification as to whether new employees would be eligible to join the new GYS pension scheme. The Section 151 Officer reported that only the existing GYBS staff who were tuped across would be eligible for the LGPS scheme as staff were being transferred under their existing terms and conditions. Councillor B Walker asked if this would result in a two tier pension scheme for staff whereby new GYS staff would be worse off pension wise in regard to staff who had been tuped across which would be unfair. The Chief Executive Officer reported that currently existing employees would have been appointed under different terms and conditions and that all terms and conditions would be looked at within six months.

Councillor Myers requested clarification in regard to paragraph 2.1 and the employer rate being higher than the GYBC rate of 15.5% and asked for an assurance that this would have no impact on employee benefits.

The S151 Officer confirmed that there would be no impact to the employee benefits

for either GYS or GYBC as part of the pooling arrangements as the scheme is a defined benefit scheme. Local Government Pension Scheme benefits are established in statute and set nationally. The Chief Executive Officer explained that the percentages were affected by the actuarial valuation which had to be undertaken every three years to ensure that there was enough money in the pot to pay the pensions.

Proposer: Councillor Smith  
Seconder: Councillor Candon

That Council approve that an application be made to pool Great Yarmouth Services Ltd with the other Great Yarmouth Borough Council pension arrangements from 1 April 2023, this will be subject to the agreement of Norfolk Pension Fund.

CARRIED

It was requested that the following votes for refusals be recorded in the minutes:-

Councillors Jeal, Martin, Myers, Smith-Clare, Talbot, B Walker, C Walker & Waters-Bunn.

## **5 ANY OTHER BUSINESS**

The Leader of the Council thanked all the officers for all their hard work during the last four years, with a special mention to the Chief Executive Officer and Corporate Services Manager. He paid tribute to Councillor Fairhead who was retiring at the end of the municipal year and wished her and her husband a long and happy retirement.

Councillor Fairhead reported that she had thoroughly enjoyed her time as a Councillor and wished all the Members well at the upcoming elections.

Councillor Wainwright echoed the sentiments of the Leader and reported that not only the Council but the Internal Drainage Board would be disappointed to see Councillor Fairhead retire.

Councillor Myers also thanked the officers for all their hard work and advice, as being an independent Councillor, himself & Councillor Talbot relied heavily on officers advice to assist them in doing their jobs which was much appreciated.

His Worship, The Mayor, thanked all Members present for all the respect shown to him as Mayor in this municipal year. His Worship reported that 2022/23 had been a good year for Great Yarmouth with the amount of inward investment which had been secured for the town. His Worship thanked the Chief Executive Officer, Corporate Services Manager, Civic Events Officer and Events Manager for all their invaluable assistance during his term in office and wished his successor all the best.

The meeting ended at: TBC





**Subject: Great Yarmouth Borough Council Election – Thursday 4 May 2023**

**Report to: Council – 18 May 2023**

**Report by: Licensing and Elections Manager**

**SUBJECT MATTER**

**This report gives the results for the Local Elections which were held on Thursday 4 May 2023**

1.1 The results of the Great Yarmouth Borough Council elections were as follows:

| WARD   | CANDIDATES                             | PARTY        | NO OF VOTES | ELECTED                | % POLL |
|--|--|--------------|-------------|------------------------|--------|
| <b>Bradwell North (3 Vacancies)</b>              | Borg, James Louis                      | Labour       | 728         | <b>Daniel Candon</b>   | 33.24  |
|  | Candon, Daniel Peter John              | Conservative | 839         | <b>Graham Plant</b>    |        |
|  | Craig, Yvonne                          | Labour       | 765         | <b>Carl Smith</b>      |        |
|  | Plant, Graham Robert                   | Conservative | 815         |                        |        |
|  | Smith, Carl                            | Conservative | 888         |                        |        |
|  | Wesson, Scott William                  | Labour       | 756         |                        |        |
| <b>Bradwell South &amp; Hopton (3 Vacancies)</b> | Annison, Carl Adrian                   | Conservative | 995         | <b>Carl Annison</b>    | 28.64  |
|  | Capewell, Antony Daniel                | Labour       | 738         | <b>Antony Capewell</b> |        |
|  | Godfrey, Mark                          | Lib Dem      | 119         | <b>Katy Stenhouse</b>  |        |
|  | Greggs, David John                     | Labour       | 660         |                        |        |
|  | Hacon, Susan (known as Sue)            | Independent  | 207         |                        |        |
|  | Price, Robert Edward                   | Conservative | 690         |                        |        |
|  | Rodin, Lesley                          | Labour       | 680         |                        |        |
|  | Shreeve, John Richard                  | Lib Dem      | 89          |                        |        |
|  | Stenhouse, Kathryn Ann (known as Katy) | Conservative | 740         |                        |        |

|  |  |              |     |  |       |
|--|--|--------------|-----|--|-------|
| <b>Caister North (2 Vacancies)</b>           | Boyd, Gary William                                     | Conservative | 582 | <b>Gary Boyd</b><br><b>Penny Carpenter</b>                                       | 30.35 |
|  | Carpenter, Penelope Jane (known as Penny)              | Conservative | 606 |  |       |
|  | Killett, Anne Marie                                    | Green        | 174 |  |       |
|  | Williamson-Aldous, Rae (known as Rae Williamson)       | Labour       | 320 |  |       |
|  | Winterburn, Michael                                    | Labour       | 402 |  |       |
| <b>Caister South (2 Vacancies)</b>           | Bird, Malcolm Dudley                                   | Conservative | 570 | <b>Malcolm Bird</b><br><b>Brian Lawn</b>   | 30.27 |
|  | Griffiths, Sandra (known as Sandy)                     | Labour       | 468 |  |       |
|  | Lawn, Brian Alfred                                     | Conservative | 604 |  |       |
|  | Moore, Michael Anthony                                 | Labour       | 374 |  |       |
| <b>Central &amp; Northgate (3 Vacancies)</b> | Ashton-Barnes, Christopher                             | Lib Dem      | 153 | <b>Cathy Cordiner-Achenbach</b><br><b>Jade Martin</b><br><b>Mike Smith–Clare</b> | 19.64 |
|  | Cordiner-Achenbach, Catherine Rebecca (known as Cathy) | Labour       | 574 |  |       |
|  | Houseago, Oscar Tala                                   | Conservative | 295 |  |       |
|  | Lodge, Tamsin Eleanor                                  | Conservative | 318 |  |       |
|  | Martin, Jade Marlene Marie                             | Labour       | 578 |  |       |
|  | Smith-Clare, Michael (known as Mike)                   | Labour       | 596 |  |       |
|  | Spinola, Aurelio Goncalves                             | Conservative | 258 |  |       |
|  | Talbot, Carrie Amy                                     | Independent  | 228 |  |       |
| <b>Claydon (3 Vacancies)</b>                 | Bensly, Louise Rebecca                                 | Conservative | 362 | <b>Carol Borg</b><br><b>Jeanette McMullen</b><br><b>Bernard Williamson</b>       | 22.5  |
|  | Borg, Carol Ann  | Labour       | 810 |  |       |
|  | Hirst, John Frederic                                   | Conservative | 363 |  |       |
|  | McMullen, Jeanette                                     | Labour       | 775 |  |       |
|  | Phillips, Linda Jane                                   | Conservative | 403 |  |       |
|  | Williamson, Bernard John                               | Labour       | 767 |  |       |
| <b>East Flegg (2 Vacancies)</b>              | Bensly, James William                                  | Conservative | 755 | <b>James Bensly</b><br><b>Noel Galer</b>   | 31    |
|  | Galer, Noel Douglas                                    | Conservative | 573 |  |       |
|  | Hendry, Paul James                                     | Labour       | 245 |  |       |

|                                  |   |              |      |                            |       |
|----------------------------------|---|--------------|------|----------------------------|-------|
|                                  | Petersen, Kenneth Peter                   | Green        | 206  |                            |       |
|                                  | Punchard, Emma Jayne                      | Green        | 297  |                            |       |
|                                  | Walker, Colleen                           | Labour       | 230  |                            |       |
| <b>Fleggburgh (1 Vacancy)</b>    | Garrod, Thomas Steven Charles             | Conservative | 37   | <b>Adrian Thompson</b>     | 53.32 |
|                                  | Thompson, Adrian David                    | Independent  | 1110 |                            |       |
|                                  | Wardley, Claire Samantha                  | Labour       | 26   |                            |       |
| <b>Gorleston (2 Vacancies)</b>   | Albon, Nicola Jane                        | Green        | 101  | <b>Emma Flaxman-Taylor</b> | 34    |
|                                  | Durant, Rebecca Elizabeth Anne            | Green        | 111  | <b>Paul Wells</b>          |       |
|                                  | Flaxman-Taylor, Emma Claire Louise        | Conservative | 685  |                            |       |
|                                  | Rouse, Gerald Andrew                      | Lib Dem      | 69   |                            |       |
|                                  | Smith, Gordon Stanley                     | Lib Dem      | 65   |                            |       |
|                                  | Taylor, Stephen (known as Steve)          | Labour       | 508  |                            |       |
|                                  | Wells, Paul Anthony George                | Conservative | 674  |                            |       |
|                                  | Wemyss, Andrew Michael (known as Michael) | Labour       | 457  |                            |       |
| <b>Lothingland (2 Vacancies)</b> | Carpenter, Graham Paul                    | Conservative | 518  | <b>Graham Carpenter</b>    | 29    |
|                                  | Duffield, Euan                            | Labour       | 304  | <b>Ivan Murray-Smith</b>   |       |
|                                  | Murray-Smith, Ivan                        | Conservative | 508  |                            |       |
|                                  | Myers, Adrian Paul                        | Independent  | 469  |                            |       |
|                                  | Williamson, Christine (known as Chris)    | Labour       | 388  |                            |       |
| <b>Magdalen (3 Vacancies)</b>    | Cameron, Tracy Lynn                       | Conservative | 277  | <b>Alison Green</b>        | 25.1  |
|                                  | Green, Alison Jean Elizabeth              | Labour       | 691  | <b>Brian Pilkington</b>    |       |
|                                  | O'Dell, Susan Margaret                    | Conservative | 323  | <b>Trevor Wainwright</b>   |       |
|                                  | Pilkington, Brian Gordon                  | Labour       | 642  |                            |       |
|                                  | Smith, Matthew (known as Matt)            | Independent  | 386  |                            |       |
|                                  | Wainwright, Trevor John                   | Labour       | 786  |                            |       |

|   |   |              |     |  |       |
|---|---|--------------|-----|--|-------|
|   | Whitaker, Robert Walter<br>(known as Bob) | Conservative | 349 |  |       |
| <b>Nelson (3 Vacancies)</b>                   | Bensly, Oliver James                      | Conservative | 248 | <b>Michael Jeal</b><br><b>Kerry Robinson-Payne</b><br><b>Tony Wright</b> | 16.95 |
|   | Jeal, Michael Thomas                      | Labour       | 552 |  |       |
|   | Lawn, Ann Grace                           | Conservative | 221 |  |       |
|   | Riley, Michael John (known as Mick)       | Reform UK    | 118 |  |       |
|   | Robinson-Payne, Kerry Susanne             | Labour       | 513 |  |       |
|   | Stafferton, Richard Frank Ronald          | Conservative | 200 |  |       |
|   | Wright, Anthony David (known as Tony)     | Labour       | 515 |  |       |
| <b>Ormesby (2 Vacancies)</b>                  | Boocock, Malcolm                          | Labour       | 366 | <b>Geoff Freeman</b><br><b>Justin Rundle</b>                             | 32    |
|   | Freeman, Geoffrey Eynon (known as Geoff)  | Conservative | 514 |  |       |
|   | Hanton, Ronald Charles (known as Ron)     | Conservative | 511 |  |       |
|   | Rundle, Justin Paul                       | Independent  | 548 |  |       |
|   | Walker, Brian                             | Labour       | 201 |  |       |
| <b>Southtown &amp; Cobholm ( 2 Vacancies)</b> | Candon, Laura May                         | Conservative | 220 | <b>Jennifer Newcombe</b><br><b>Paula Waters-Bunn</b>                     | 19.4  |
|   | Dyer, Nicholas Mark                       | Lib Dem      | 77  |  |       |
|   | Murray, Alvin                             | Conservative | 191 |  |       |
|   | Newcombe, Jennifer Constance              | Labour       | 402 |  |       |
|   | Waters-Bunn, Paula                        | Labour       | 405 |  |       |
| <b>St Andrews (2 Vacancies)</b>               | O'Dell, Lionel John                       | Conservative | 276 | <b>Ron Upton</b><br><b>Barbara Wright</b>                                | 25.8  |
|   | Popham, Alan James                        | Conservative | 310 |  |       |
|   | Upton, Ronald John (known as Ron)         | Labour       | 555 |  |       |
|   | Wright, Barbara Ann                       | Labour       | 575 |  |       |
| <b>West Flegg (2 Vacancies)</b>               | Borg, Matthew Joseph (known as Matt)      | Labour       | 467 | <b>Andy Grant</b><br><b>Leslie Mogford</b>                               | 31.4  |
|   | Grant, Andrew Kenneth (known as Andy)     | Conservative | 809 |  |       |

|   |  |              |     |  |       |
|---|--|--------------|-----|--|-------|
|   | Jeal, David Michael  | Labour       | 458 |  |       |
|   | Mogford, Leslie John   | Conservative | 798 |  |       |
| <b>Yarmouth North<br/>(2 Vacancies)</b> | Andrews, Angela Jayne<br>(known as Angie)                      | Reform UK    | 74  | <b>Donna Hammond</b><br><b>Amy Sharp</b> | 31.68 |
|   | McCluskey, James Peter<br>(known as James Dwyer-<br>McCluskey) | Labour       | 444 |  |       |
|   | Hammond, Donna Kay   | Conservative | 470 |  |       |
|   | Hammond, Paul Charles  | Conservative | 452 |  |       |
|   | Harris, Anthony John<br>(known as Tony)                        | Lib Dem      | 88  |  |       |
|   | Sharp, Amy Louise  | Labour       | 453 |  |       |
|   | Toplass, Paul Eric   | Independent  | 70  |  |       |

1.2 The total number of ballot papers issued was 20,735. Resulting in an overall turnout of 27.93%.

1.3 The number of spoilt ballot papers for this election was 144

1.4 The number of postal votes issued was 12,562. The number of valid postal votes returned that were included in the count was 8199 (a return of 65%)

1.5 The new composition of the Council is 19 Conservative, 18 Labour, 2 Independent.

*Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?*

| <b>Area for consideration</b>                   | <b>Comment</b> |
|---|----------------|
| Monitoring Officer Consultation:                |                |
| Section 151 Officer Consultation:               |                |
| Existing Council Policies:                      |                |
| Financial Implications (including VAT and tax): |                |
| Legal Implications (including human rights):    |                |
| Risk Implications:                              |                |
| Equality Issues/EQIA assessment:                |                |
| Crime & Disorder:                               |                |
| Every Child Matters:                            |                |



**Subject: Permission to Undertake a review of the Members' Scheme of Allowances  
based upon an Executive Model of Governance**

**Report to: Council : Thursday 18 May 2023**

**Report by: Corporate Services Manager**

**SUBJECT MATTER**

**This report is to inform Members that the Council requires an Independent Remuneration Panel to give recommendations on the Members allowances and special responsibility allowances once the Executive Model Constitution has been adopted.**

**RECOMMENDATION**

That Council :

- (1) Agree to the Independent Remuneration Panel being asked to convene to review the Scheme of Members Allowances based upon an Executive Model Constitution for the Council.
- (2) Agree to the re-appointment of the Independent Remuneration Panel Members as follows, Sandra Cox, Karen Forster and Stuart Rimmer
- (3) Agree to the fee of £100 per meeting to be payable to each panel member upon completion of the review.
- (4) Note that any special responsibility allowances for the Executive model would be deferred, until completion of the Independent Remuneration Panel's review.

**1. Requirement for Independent Remuneration Panel – Review**

- 1.1. Under the Local Authorities (Members' Allowances) (England) Regulations 2003, every relevant local authority is required to review its Members' Allowances Scheme.
- 1.2. Members will be aware that a full review of the Scheme of Members' Allowances was undertaken in later stages of 2021 and was approved by Full Council at it's meeting on the 9 December 2021.
- 1.3. Whilst undertaking the review, the panel had acknowledged that the Council would potentially move from a Committee form of governance, to a Cabinet model and had therefore commented, that if such a change occurred Government regulations state that the Council should automatically trigger an Independent Remuneration Panel.

## 2. Next Steps

- 2.1 Once the Council has agreed and adopted an Executive Model Constitution, Council is asked to agree to the convening of the Independent Remuneration Panel to undertake a review of the Members' Allowance Scheme based upon an Executive Model Constitution including special responsibility allowances.
- 2.2 Should Council approve to the re-appointment of the already established Independent Remuneration Panel Members, the panel will be contacted via the Corporate Services Manager and meetings will be arranged. It should be noted that if Member involvement is required than the Panel will ask the Corporate Services Manager to arrange these meetings.
- 2.3 Once the panel have completed their review a report from panel will be brought back to the Council for approval.
- 2.4 Members are asked to note that once the Council has adopted the Executive Model Constitution, any special responsibility allowances for the Executive Model would be deferred, until completion of the Independent Remuneration Panel's review.
- 2.5 The current Members allowance of £6054.00 per annum will be continue to be paid to the newly elected Council whilst the review is being undertaken

## 3. Financial Implications

- 3.1 There are cost implications with fees payable to the Independent Remuneration Panel for the undertaking of a review of allowances, the fees payable should be agreed by Council.
- 3.2 In undertaking a review of allowances, should the panel recommend an increase in allowances, this would have budgetary implications on the approved General fund budget for 2023/24.
- 3.3 The panel will also as part of their review consider if any recommended increases should be backdated.

*Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?*

| Area for consideration                          | Comment            |
|---|--------------------|
| Monitoring Officer Consultation:                | ELT                |
| Section 151 Officer Consultation:               | ELT                |
| Existing Council Policies:                      | N/a                |
| Financial Implications (including VAT and tax): | Included in report |
| Legal Implications (including human rights):    | Included in report |
| Risk Implications:                              | N/a                |



**Subject: Change to Executive Model of Governance & Adoption of New Constitution**

**Report to: Council - Thursday 18 May 2023**

**Report by: Monitoring Officer**

## **SUBJECT MATTER**

**Change to an Executive model of governance and formal adoption of the new Constitution**

### **RECOMMENDATIONS:**

That Council

- 1) adopt the form of the Constitution as appended, incorporating the amendments described in this report, with immediate effect; and
- 2) acknowledge the cessation of the committee system of governance and implementation of the Executive (Leader-Cabinet) model, bringing into immediate effect Council's resolution under section 9KC of the Local Government Act 2000, made at Annual Meeting of May 2022.

## **1. Background and Context**

- 1.1. At Annual Meeting of 12<sup>th</sup> May 2022 Council resolved under section 9KC of the Local Government Act 2000 ("the Act") that the Executive model of governance, specifically the Leader-Cabinet model, would be adopted and take effect as from Annual Meeting of May 2023. An authority's Annual Meeting constitutes "relevant change time" under section 9L of the Act, being the only time that such change is permitted to take place.
- 1.2. Accordingly, a new form of Constitution is required to be adopted simultaneously to support the new governance system. At a meeting of full Council on 13<sup>th</sup> April 2023, as preparation for system change, members approved a new form of Constitution for the executive model of governance in readiness for relevant change time taking place at Annual Meeting.
- 1.3. Since members approved the form of Constitution on 13<sup>th</sup> April, a number of minor technical amendments are recommended, which appear listed in the section below.

## **2. Proposed Amendments to the Constitution**

- 2.1 That 47.1.3 be amended by the addition of the words in square brackets below:
  - 47.1.3 The final decision on the appointment or dismissal of the Head of Paid Service/Chief Executive or on the appointment of any **[other Statutory]** Chief Officer shall be by resolution of the full Council on the recommendation of



the Employment Committee or the Employment (Statutory Chief Officers) Investigation and Disciplinary Sub-Committee, in respect of dismissal.

Impact: that only appointments or dismissals of statutory chief officers (Head of Paid Service, s151 Officer, Monitoring Officer) are required to go to full Council for approval, on the recommendation of Employment Committee; whereas non-statutory chief officer posts (Executive Directors) may be dealt with by decision of Employment Committee alone.

- 2.2 In the terms of reference for each of the Council’s committees (Articles 12, 13, 14 and 15) save for Scrutiny Committee (for which the rules are already set out at Article 16.1) the method of election of Chair and Vice Chair shall be set out as follows:

**“Chair and Vice-chair of the Committee and any Sub-committee shall be appointed at the Annual Meeting of full Council.**

**If the persons appointed under this paragraph are absent, a meeting of the Committee or Sub-committee shall appoint, from among the voting members present, a person to preside at that meeting.”**

- 2.3 At article 16.2 a) (terms of reference for Scrutiny Committee) the words in square brackets shall be added:

**“assist the Council and the Cabinet by preparing recommendations to Cabinet on the draft Budget and all Policy Framework documents” [save for Local Plans, Neighbourhood Plans and other Development Plan documents]”**

- 2.4 Article 16.3 b) shall be amended by the additions in square brackets:

**[pre-]scrutinise any decisions the Cabinet are proposing to make in relation to the Budget and Policy Framework [save for Local Plans, Neighbourhood Plans and other Development Plan documents]; or**

- 2.5 At article 16.10 the text shown as struck through below (removed in error) shall be reinstated:

~~In addition to reporting on decisions in relation to the Budget and the Policy framework documents which (save for Local Plans, Neighbourhood Plans and other Development Plan documents) are subject to pre-decision scrutiny, the Committee may form recommendations on proposals for development of Council policy or decisions which are called in. Once it has formed such recommendations, the Scrutiny Committee will prepare a formal report and submit it to the Head of Legal & Governance for consideration by the Cabinet.~~

- 2.6 Article 25.2.1 shall be amended by the insertion of a new section (f) as follows:

**“(f) appoint to those Committees Chairs and Vice-Chairs in accordance with any additional rules contained within the terms of reference set out for individual Committees”**

- 2.7 Article 32.1.8 shall be amended by the insertion of the words in square brackets:

**“The virement [and expenditure] limits [(within the approved budget only)] are as outlined below”.**

*Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?*

| <b>Area for consideration</b>                | <b>Comment</b>  |
|--|---|
| Monitoring Officer Consultation:             | Monitoring Officer's report   |
| Section 151 Officer Consultation:            | Yes   |
| Existing Council Policies:                   | Constitution  |
| Financial Implications (inc VAT and tax):    | None  |
| Legal Implications (including human rights): | Included in report  |
| Risk Implications:                           | Officers will need to transition effectively to new procedures, failure to do so may cause procedural breach. |



**Subject: Interim appointment of Executive Director – Property & Housing Assets**

**Report to: Council - 18 May 2023**

**Report by: Sarah Tate, Head of Organisational Development**

#### **SUBJECT MATTER**

To seek approval of the interim appointment of Chris Furlong as Executive Director – Property & Housing Assets.

#### **RECOMMENDATION**

That Council:

Agree to the interim appointment of Chris Furlong as Executive Director – Property & Housing Assets to 31<sup>st</sup> March 2024

### **1. Introduction**

- 1.1. Under the Council’s Constitution (Article 45 – Officer Employment Procedure Rules) the appointment of any chief officer shall be by resolution of the Council on the recommendation of the Employment Committee.
- 1.2. An offer of employment as a Chief Officer shall only be made where no well-founded objection from any Member of the Council has been received.
- 1.3. Due to the difficult recruitment market and the seniority of this post the Council were supported by Penna during the process. The post was advertised internally and externally through relevant media channels, including the MJ, Penna, various recruitment websites, social media, LinkedIn and a bespoke microsite on the Council’s web pages. Penna undertook a head-hunting exercise and identified 85 potential candidates, 14 applications were received, 3 candidates were longlisted, 1 withdrew from the process and 2 attended a technical interview and assessment centre.
- 1.4. The whole assessment process included CV and covering letter, an assessment centre which included a technical interview, chairing of an ELT meeting and a meeting with heads of service. Insights profiles were also undertaken for each candidate.
- 1.5. Following the assessment centre there were no suitable candidates to take through to employment committee, which was due to be held on 21<sup>st</sup> March 2023.
- 1.6. A review of the recruitment process and candidate market was undertaken by the Chief Executive, Penna and the Head of Organisational Development and options considered for the

next steps in the process and whether or not it would be appropriate to go back out the market at this point, having already identified the significant difficulties recruiting to the post.

- 1.7. After discussions and careful considerations it was felt that an interim solution and appointment to this role would be appropriate at this time and that recruitment to the post of a permanent basis should be reconsidered later in the year.
- 1.8. Chris Furlong is currently working for the Council in a dual role with GYN and is considered as an ideal candidate to take on this role on an interim basis, to allow for the completion of the GYN options appraisal report which will evaluate the options for the future service delivery beyond the end of the current contract arrangements with GYN.
- 1.9. Chris has extensive experience in Assets and Property and is currently working on a number of projects for the council including the delivery of the Compliance Improvement Plan following the Regulatory Judgement in October, a transformational change of the GYN service, the development of the Council's Housing Investment Plan and a review of the Council's Sheltered Housing Asset portfolio. In addition to this and following the Options Appraisal of GYN services, there will need to be a mobilisation plan for the new service which will require expertise and experience in this area. Chris recently led on the insourcing of the Norse JV at Norwich City Council. Further, there is a need to review and transform the Commercial Property side of the Council and Chris has many years' experience in transformational change.
- 1.10. This interim appointment gives the Council the time and opportunity to successfully recruit a permanent candidate.

## **2. Financial Implications**

- 2.1. The salary range and market supplement applicable to this role is within the budgeted salary range and contained within the Councils approved Pay Policy Statement. The Executive Director – Property & Housing Assets is budgeted for on the current establishment and it is anticipated that the vacancy will be used to cover the interim appointment.

## **3. Risk Implications**

- 3.1. The risks of not appointing an interim is that the key projects identified at 1.9 may not be delivered on time or to the quality that the Council would expect.
- 3.2. Further, if the post remains vacant for any length of time, the capacity of the ELT is reduced in a portfolio of services that are undergoing significant change

## **4. Conclusion**

An extensive and thorough recruitment process was undertaken, which did not provide a suitable permanent candidate for the role. The interim recommendations will allow the council time to ensure there is effective management in place, continue to ensure service delivery is maintained in this area and to progress with recruitment of a permanent candidate.

*Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?*

| <b>Area for consideration</b>                   | <b>Comment</b>           |
|---|--------------------------|
| Monitoring Officer Consultation:                | ELT                      |
| Section 151 Officer Consultation:               | ELT                      |
| Existing Council Policies:                      | Constitution             |
| Financial Implications (including VAT and tax): | Identified within report |
| Legal Implications (including human rights):    | N/A                      |
| Risk Implications:                              | Identified within report |
| Equality Issues/EQIA assessment:                | N/A                      |
| Crime & Disorder:                               | N/A                      |