



GREAT YARMOUTH BOROUGH COUNCIL

Council

Minutes

Thursday, 12 May 2022 at 18:00

PRESENT:-

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

Ms S Oxtoby (Chief Executive Officer), Ms C Whatling (Monitoring Officer), Mrs P Boyce (Strategic Director), Mr J Goffin (Media & Communications Manager), Mrs S Wintle (Corporate Services Manager), Mrs L Goodman (Events Manager), Ms B Todd (Civic Events Officer) and Mrs C Webb (Executive Services Officer).

Mr M Brett (IT Support) & Canon Simon Ward.

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bird, Borg, Hacon & Talbot.

2 DECLARATIONS OF INTEREST

There were no declarations of interest given at the meeting.

3 ELECTION OF MAYOR FOR THE 2022/23 MUNICIPAL YEAR

Councillor Smith proposed and Councillor Thompson seconded that Councillor Graham Plant be elected Mayor of the Borough of Great Yarmouth for the 2022/23 Municipal Year.

Councillor Wainwright asked for a recorded vote to be undertaken. The Leader of the Council agreed to this request.

Proposer: Councillor Smith.

Seconded: Councillor Thompson.

That Councillor Graham Plant be elected Mayor of the Borough of Great Yarmouth for the 2022/23 Municipal Year.

His Worship the Mayor, Councillor Graham Plant, hereby signed the declaration of office and gave an acceptance speech.

Recorded vote:-

For - Councillors Annison, Bensly, Cameron, Candon, G Carpenter, P Carpenter, Flaxman-Taylor, Freeman, Galer, Grant, D Hammond, P Hammond, Hanton, Lawn, Mogford, Myers, Plant, Price, Smith, Stenhouse, Thompson & Wells.

Against - Councillors Cordiner-Achenbach, Jeal, Martin, Robinson-Payne, Smith-Clare, Wainwright, B Walker, C Walker, Waters-Bunn, Williamson, B Wright & A Wright.

Abstentions - None.

4 VOTE OF THANKS TO OUTGOING MAYOR

The Leader of the Council, Councillor Smith gave the vote of thanks to the outgoing Mayor, Councillor Adrian Thompson and congratulated the new Mayor, Councillor Graham Plant.

The Leader of the Council asked that Council record their sincere thanks to Councillor Thompson for carrying out the role of mayor with dedication throughout his year in office and thanked his wife, Jenny, for all her support to her husband.

Councillor Wainwright reiterated that Councillor Thompson, with his wife Jenny at his side, had carried out the civic role with great enthusiasm and respect and he could not praise them both highly enough for the way they had represented the Council and the Borough.

Councillor Thompson was presented with a certificate and his past mayors badge. Councillor Thompson thanked all those who had supported him during his marvellous year as mayor when he had met some wonderful people and he hoped that he had spread a little hope and happiness throughout the Borough.

5 ELECTION OF DEPUTY MAYOR FOR THE 2022/23 MUNICIPAL YEAR

Councillor Emma Flaxman-Taylor proposed and Councillor Donna Hammond seconded that Councillor Penny Carpenter be elected Deputy Mayor of the Borough of Great Yarmouth for the 2022/23 Municipal Year.

Proposer: Councillor Flaxman-Taylor

Seconder: Councillor D Hammond

That Councillor Penny Carpenter be elected Deputy Mayor of the Borough of Great Yarmouth for the 2022/23 Municipal Year.

CARRIED

The Deputy Mayor, Councillor Penny Carpenter, hereby signed the declaration of office and gave an acceptance speech.

6 APPOINTMENT OF CHAPLAIN - 2022/23 MUNICIPAL YEAR

His Worship The Mayor, Councillor Plant, announced that his Chaplain for the 2022/2023 Municipal Year would be Canon Simon Ward.

Canon Simon Ward recited a prayer of dedication for all Councillors and residents of the Borough.

7 MINUTES OF THE MEETING HELD ON THE 14 APRIL 2022 AND 20 APRIL 2022

The minutes of the meetings held on 14 April and 20 April 2022 were confirmed.

Councillor Williamson asked the minutes to be amended to reflect that he had sent his apologies.

Proposer: Councillor Smith

Seconder: Councillor Candon

That Council confirmed the minutes of the meetings held on 14 April 2022 and 20 April 2022.

CARRIED

8 APPOINTMENT OF LEADER OF THE COUNCIL

Councillor Candon proposed that Councillor Carl Smith be elected Leader of the Council for the 2022/23 Municipal Year. This motion was seconded by Councillor Lawn.

Proposer: Councillor Candon
Seconded: Councillor Lawn

That Councillor Carl Smith be elected Leader of the Council for the 2022/23 Municipal Year.

CARRIED

9 APPOINTMENT OF DEPUTY LEADER

Councillor Smith proposed that Councillor Penny Carpenter be elected Deputy Leader of the Council for the 2022/23 Municipal Year. This motion was seconded by Councillor Stenhouse.

Proposer: Councillor Smith
Seconded: Councillor Stenhouse

That Councillor Penny Carpenter be elected as Deputy Leader of the Council for the 2022/23 Municipal Year.

CARRIED

10 COMMITTEE TIMETABLE 2022-23

The Corporate Services Manager reported that there was one amendment to the committee timetable; the Policy & Resources Committee meeting would be held on Tuesday, 24 May 2022 and not Tuesday, 17 May 2022.

The Leader of the Council presented the Committee Timetable to Council and proposed that the Committee timetable for the 2022/23 Municipal Year be approved. This was seconded by Councillor Candon.

Councillor Jeal proposed an amendment to the motion; that all evening Committee meetings to commence at 6.30pm as this was fairer to all working Councillors. This was seconded by Councillor Waters-Bunn.

Councillor T Wright requested that Council adhered to this timetable and that no changes or cancellations be allowed unless as a result of extreme unforeseen circumstances.

The Leader of the Council asked to speak on the amendment that all evening meetings to commence at 6.30pm. He reported that the Committee timetable start times were the same as last year and that he did not agree with the amendment.

Councillor Wells asked if there were financial implications if all meetings were to commence at 6.30pm, would this mean that officers would be paid overtime or be

entitled to time off in lieu. The Chief Executive Officer reported that officers worked as needed. Councillor Candon reported that employers had to allow employees time off to attend Council meetings. Councillor Jeal asked for a point of order; if Councillors were given time off then this was classed as unpaid leave.

Councillor Cordiner-Achenbach reported that it was sometimes difficult to secure childcare or carers early evening as they needed to finish work and have their tea before commencing caring duties. Councillor Cordiner-Achenbach reported that she was grateful that no meetings had been put in the calendar during school holidays. This was reiterated by Councillor Smith-Clare who reported that it was common sense to start all meetings at 6.30pm.

Councillor Fairhead herby joined the meeting at 18:40.

Councillor P Hammond reported that he worked but made it a priority to be able to attend an evening meeting which started at 6pm as he felt that it was a privilege to represent his ward and he made every effort to attend each meeting promptly.

Proposer: Councillor Smith
Secunder: Councillor Candon

That the Committee timetable be approved as presented with the amendment to the Policy and Resources Committee date for the Municipal Year 2022/23.

11 LIST OF COMMITTEE MEMBERSHIPS 2022-23

Council received and considered the list of Committee Memberships for the 2022/23 Municipal Year which was presented by the Leader of the Council for approval.

Proposer: Councillor Smith
Secunder: Councillor Candon

That Council approve the list of Committee Memberships for the 2022/23 Municipal Year.

12 APPOINTMENT OF CHAIRS AND VICE-CHAIRS 2022-23

Council received and considered the appointment of Chairs and Vice-Chairs of Committees for the 2022/23 Municipal Year which was presented to Council by the Leader of the Council for approval.

Councillor Grant requested that an amendment be made from Councillor D Grant to Councillor A Grant.

Proposer: Councillor Smith
Secunder: Councillor Candon

That Council approve the Chairs and Vice-Chairs of Committees, with the amendment made at the meeting, for the 2022/23 Municipal Year.

CARRIED

13 APPOINTMENT TO WORKING GROUPS 2022-23

Council received and considered the Appointments to Working Groups for the 2022/23 Municipal Year which was presented by the Leader of the Council for approval.

Proposer: Councillor Smith
Secunder: Councillor Candon

That Council approve the Appointments to Working Groups for the 2022/23 Municipal Year.

CARRIED

14 OUTSIDE BODIES REPRESENTATION 2022-23

Council received and considered the appointments to Outside Bodies for approval for the 2022/23 Municipal Year.

The Leader of the Council notified Council of two amendments to the list; in regard to item numbers 5 and 51, Councillor Wells would represent the Council on the Outside Body.

Councillor A Wright referred to item number 6; and reminded Council that although he was appointed to the Chamber of Commerce, he had not received an invitation to attend a meeting for a considerable amount of time which he found very concerning. His Worship, The Mayor, Councillor Plant asked that a letter outlining Councillor A Wright's concerns be sent to the Chamber of Commerce on behalf of the Council requesting that they convene a meeting as soon as possible.

Proposer: Councillor Smith
Secunder: Councillor Candon

That Council approve the Outside Bodies Representation, with the two amendments made at the meeting, for the 2022/23 Municipal Year.

CARRIED

15 RENEWAL OF PUBLIC SPACE PROTECTION ORDER No 1 - ALCOHOL RELATED ANTI-SOCIAL BEHAVIOUR

The Leader of the Council presented the report to Council for consideration.

The Leader of the Council reported that Public Protection Order No.1 was introduced in 2016 to assist in addressing anti-social behaviour related to the consumption of alcohol in public places. The Order was extended in 2019 and this extension was due to expire on June 2nd 2022. This report sought Council approval to extend it by a further three years to 2025.

Councillor A Wright informed Council that although he supported the PSPO; he was laying down a marker that he would question the Licensing Policy at Licensing Sub-

Committee when they were considering applications for take-aways and licensable premises for the sale of alcohol, which could result in additional detritus and street drinking and result in harm to the reputation of the Borough.

Proposer: Councillor Smith

Secunder: Councillor Wells

That Council agree to the PSPO Order No. 1 being extended by a further three years to 2025.

16 PROPOSED CHANGE OF GOVERNANCE SYSTEM

The Leader of the Council presented the report on the proposed change of the Governance System to Council for consideration and proposed its approval.

The Leader of the Council reported that the current Administration has, since its manifesto pledge in the elections of 2019, set out its intention to pursue a move to the 'Leader-Cabinet' governance system.

The Leader of the Council reported that since coming into power, the Administration has been clear in its intention to revert to Cabinet system. The proposal now put forward by the Administration is to move the Council to the 'Leader-Cabinet' system from May 2023. It is the view of the Administration that the adoption of the 'Leader-Cabinet' governance option will strengthen local democracy and make it more effective and efficient for the Council to transact business. The adoption of a 'Leader-Cabinet' model will help to deliver the Council's corporate priorities in a number of ways, including:

- a more consistent, clearer, proportionate and efficient mechanism for decision making, ensuring increased officer and Councillor capacity for delivery;
- greater levels of openness, transparency and collaboration through a strong Scrutiny Committee function, with legally enshrined mechanisms e.g. 'Key Decision' thresholds and 'Call-ins'
- increased responsibility, separation, and clarification of functions leading to increased accountability to Council and the electorate;
- parity and flexibility for the leader and Cabinet to represent the Borough of Great Yarmouth and secure its influence within Norfolk.

The Leader of the Council requested that Council:-

(i) Adopt the 'Leader-Cabinet' form of governance, to be effective from the Annual Meeting of Council in May 2023 in accordance with the provisions of the Localism Act 2011; and

(ii) Approve the proposed structures and the approach to preparatory work as set out in this report.

The motion for approval was seconded by Councillor Wells who reserved his right to speak last in the debate.

Councillor Wainwright proposed an amendment to the proposition; that the Committee System of Governance be retained by the Council. Under the Governance System six Council Portfolio Holders would make all the decisions making the vast majority of Councillors redundant from the decision-making process. The Committee System

was democratic and allowed all Councillors to have a say to reflect the views of their ward members.

Councillor Wainwright proposed that a referendum be held to allow the residents of the Borough to decide how their Council was run. Councillor Wainwright pledged that if Labour won the 2023 Borough Elections, that he would overturn this decision before Annual Council and the Committee form of governance would remain.

This motion was seconded by Councillor Jeal.

The Monitoring Officer reported that this could not be considered as an amendment to the proposal as it was purely a change of subject matter to reverse the proposal. His Worship, The Mayor, Councillor Plant reported that as this was not an amendment, no vote would be taken.

Councillor Jeal reported that as one of the longest serving Councillors that he proposed that the Committee form of governance be retained as it was the fairest form of governance unlike cabinet which gave all the power to six Councillors.

Councillor Myers urged those former UKIP Councillors who were now part of the Conservatives, to remember their 2015 manifesto pledge to return to the committee governance system. Councillor Myers reminded Council that although the Scrutiny Committee could call in decisions they did not have the power to overturn them.

Councillor Thompson congratulated His Worship, The Mayor, Councillor Plant on his election to office. Councillor Thompson asked why the rush; and whether the Leader would consider postponing the proposition to after the Borough elections in 2023 which was less than a year away. The Committee form of governance did not stifle debate and allowed Councillors to find the best way forward together. Residents of the Borough were struggling financially and the Council needed to use their funds wisely and not waste them introducing a new form of governance when the existing model worked perfectly well. Councillor Thompson proposed an amendment that the proposal be deferred for 12 months.

Councillor A Wright reported that the Cabinet System was akin to a dictatorship and that Council should remain as a committee form of governance which was democratic.

Councillor Robinson-Payne reiterated the comments made by Councillor Myers and urged the former UKIP Councillors to stick with their manifesto pledge and support the committee form of governance. cabinet would result in too much power in too few hands.

Councillor Smith-Clare reported that Cabinet would be an exclusive club of six people making all the decisions and holding all the cards when consulting all the Councillors would result in better, cohesive decision-making to improve the lives of all the residents of the borough.

Councillor Williamson reported that he had served under both systems and the Committee system was open, transparent and better for the residents and he implored all Councillors to vote against the proposal.

Councillor Cordiner-Achenbach reported that returning to the Cabinet system would result in greater voter apathy at the next election and prevent ordinary working people of the borough aspiring to become local Councillors due to lack of engagement

between Council and its constituents.

Councillor C Walker reported that the return to the cabinet system was one of the reasons for her not standing as a Councillor in next years election as it was undemocratic.

Councillor Candon congratulated His Worship, The Mayor, Councillor Plant, on his election to the office of mayor. Councillor Candon reported that Cabinet was a streamlined form of governance which would save money and enable faster decision-making and was more aligned to Central Government. Cabinet would result in clarity of accountability and increase speed of decision-making to help the communities and residents of this Borough.

Councillor Wells reminded Council that the change of governance was a manifesto promise of the Conservative Group made in 2019 and which was being enacted now after being put on hold due to the pandemic. A Cabinet system would be far more economic to operate, offer quicker decisions to help residents through the cost-of-living crisis which the country was trying to navigate.

Councillor Wainwright asked a point of order in regard to what constituted a motion. The Monitoring officer reported that a motion was a proposal which contained a recommendation.

The Leader of the Council summed up his proposal to Council and Council undertook a vote by a show of hands.

Councillor A Wright asked for a point of order and for a recorded vote to be undertake. His Worship, The Mayor, Councillor Plant informed Councillor A Wright that the vote had already been called and therefore it was too late to request a recorded vote.

Proposer: Councillor Smith
Secunder: Councillor Wells

That Council:-

(i) Adopt the 'Leader-Cabinet' form of governance, to be effective from the Annual Meeting of Council in May 2023 in accordance with the provisions of the Localism Act 2011; and

(ii) Approve the proposed structures and the approach to preparatory work as set out in this report.

CARRIED

Councillors Cordiner-Achenbach, Fairhead, Jeal, Martin, Myers, Robinson-Payne, Smith-Clare, Thompson, Myers, Wainwright, B Walker, C Walker, B Wright, T Wright and Williamson requested that it be recorded that they had voted against the recommendation.

17 ANNOUNCEMENTS FROM MAYOR

His Worship, The Mayor, Councillor Plant, reported that he did not have any announcements to make to Council this evening.

18 ANY OTHER BUSINESS

(i) The Leader of the Council reported that he would keep Council informed on any progress on Levelling-up and County Orders as promised. There had been a fact-finding meeting held today and he would update Members as soon as he was in a position to do so.

The meeting ended at: 20:00