



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