

# **CHESHIRE EAST COUNCIL**

Minutes of a virtual meeting of the **Council**  
held on Thursday, 19th November, 2020

## **PRESENT**

Councillor B Burkhill (Mayor/Chairman)

Councillor S Edgar (Deputy Mayor/Vice Chairman)

Councillors Q Abel, M Addison, S Akers Smith, M Asquith, R Bailey, J Barber, M Beanland, M Benson, L Braithwaite, J Bratherton, S Brookfield, D Brown, C Browne, J Buckley, C Bulman, P Butterill, S Carter, J Clowes, S Corcoran, L Crane, S Davies, T Dean, D Edwardes, B Evans, H Faddes, A Farrall, JP Findlow, K Flavell, R Fletcher, A Gage, S Gardiner, L Gilbert, M Goldsmith, A Gregory, P Groves, S Handley, A Harewood, G Hayes, S Hogben, S Holland, M Houston, D Jefferay, L Jeuda, A Kolker, C Leach, I Macfarlane, N Mannion, D Marren, A Martin, A Moran, R Moreton, B Murphy, D Murphy, J Nicholas, K Parkinson, J Parry, S Pochin, B Puddicombe, P Redstone, J Rhodes, L Roberts, J Saunders, M Sewart, M Simon, L Smetham, J Smith, L Smith, D Stockton, A Stott, R Vernon, L Wardlaw, M Warren, J Weatherill, P Williams, J Wray and N Wylie

## **20 APOLOGIES FOR ABSENCE**

Apologies were received from Councillors A Critchley, T Fox and M Hunter.

## **21 DECLARATIONS OF INTEREST**

No declarations of interest were made.

## **22 PUBLIC SPEAKING TIME/OPEN SESSION**

Sue Helliwell asked if under the committee system would the Chairs of each committee be appointed by Council and not by the members of the Committee themselves. She stated that the Chairs of each committee and sub-committee would have to work with the Leader of the Council and asked if this favoured patronage of the ruling party. The Leader of the Council would be the Chair of the Corporate Committee and be eligible to be on other committee and have voting right and stated that this still sounded like a Cabinet system.

Councillor James Nicholas, Chairman of the Constitution Committee responded that currently the chairs of committees were allocated by Council at its Annual Meeting, but this was to be looked at by the Governance Working Group. Chairs were appointed based on their skills and experience. The two systems of governance were different in law and deliver. It would be for the Leader to determine whether they wished to

undertake the role of Chair of the Corporate Policy Committee and the membership of the committees would be politically proportionate.

## **23 PROPOSED CHANGE OF THE COUNCIL'S GOVERNANCE ARRANGEMENTS: FORMAL RESOLUTION TO MOVE TO A COMMITTEE SYSTEM FORM OF GOVERNANCE**

Consideration was given to the proposed changes to the Council's governance arrangements.

The Constitution Committee had resolved to recommend to Council to cease operating the existing Leader and Cabinet model of governance and implement a committee system model of governance, to take effect from the Annual Council meeting in May 2021. The Committee had made a number of recommendations to Council, including that the design principles; structure of committees; role of Leader and Deputy Leader; urgency provisions and roles and powers of committee and sub-committee chairs be approved.

The recommendations, set out at paragraphs 2.1 to 2.8 in the report, were moved and seconded by the Chairman and Vice Chairman of the Constitution Committee.

The Mayor proposed that Council consider the recommendations in two parts, with all recommendations except recommendation 2.2 being considered first, before moving to consider making any formal resolution in line with recommendation 2.2.

During the debate on recommendations 2.1 and 2.3 to 2.8, two amendments were proposed as follows:

### Amendment 1

*"That Appendix N - Role and Powers of Committee and Sub Committee Chairs be amended to include:*

*(d) the appointment of Chairs and Vice Chairs shall be politically proportionate, based on the democratic mandate afforded to each individual political group."*

The amendment was moved, seconded and debated and put to the vote. The amendment was declared lost with 37 for, 39 against and 2 not voting.

### Amendment 2

*"That Appendix K – Role and Powers of the Leader and Deputy Leader of the Council, be amended:*

*Under Deputy Leader - delete "the Deputy Leader may be appointed as the Vice Chairman of the Corporate Policy Committee of the Council"*

*In the Guidance Note – delete “In the case of a joint administration, the Council will expect the Leader and Deputy Leader to share responsibilities between them and determine how the matters listed in paragraph XX are divided between them.”*

The amendment was moved, seconded and debated and put to the vote. The amendment was declared lost with 32 for, 42 against and 4 not voting.

The substantive recommendations were put to the vote and declared carried with 43 for, 32 against and 3 not voting.

Council then considered recommendation 2.2 – *“That the Council resolves to cease operating the existing Leader and Cabinet model of governance and implement a committee system model of governance, to take effect from the Annual Council meeting on 12 May 2021.”*

Following debate, the recommendation was put to the vote and declared carried with 44 for, 32 against and 2 not voting.

**RESOLVED:**

- 1 that Council agrees and adopts the following:
  - a) Design Principles (Appendix G)
  - b) Structure of the committees (Appendix H, I and J);
  - c) Roles of Leader and Deputy Leader (Appendix K);
  - d) Decision Review Process (Appendix L);
  - e) Urgency Provisions (Appendix M);
  - f) Role and powers of Committee and Sub-Committee Chairs (Appendix N)
- 2 that the Council ceases operating the existing Leader and Cabinet model of governance and implement a committee system model of governance, to take effect from the Annual Council meeting on 12 May 2021.
- 3 the Director of Governance and Compliance be authorised, in consultation with the Constitution Committee, to prepare such draft constitutional provisions as they consider necessary to give effect to the wishes of the Committee, which will be submitted to the Constitution Committee in phases during 2020/21 for recommendation to Council.
- 4 the Director of Governance and Compliance be authorised to recommend such constitutional provisions as reflect the developing nature of the progression to a committee system form of governance and best practice.

- 5 the Director of Governance and Compliance be authorised to recommend to full Council such constitutional provisions or amendments as they consider appropriate or required for the progression to a committee system form of governance.
- 6 the Director of Governance and Compliance shall by 12 November 2021 provide a report to Council on the implementation of the committee arrangements with any further recommendations or amendments to the constitution.
- 7 Council notes the required actions and timeline required to enable these recommendations to be implemented.
- 8 Council notes the risks and financial matters relating to this change, as set out in section 12 of the Report.

The meeting commenced at 2.00 pm and concluded at 5.03 pm

Councillor B Burkhill  
MAYOR/CHAIRMAN