

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Council**  
held on Wednesday, 22nd May, 2019 at The Tenants' Hall, Tatton Park,  
Knutsford WA16 6QN

## **PRESENT**

Councillor L Smetham (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, C Browne, J Buckley, C Bulman, B Burkhill, P Butterill, S Carter, J Clowes, S Corcoran, L Crane, A Critchley, S Davies, T Dean, S Edgar, D Edwardes, B Evans, H Faddes, A Farrall, JP Findlow, K Flavell, R Fletcher, D Flude, T Fox, A Gage, S Gardiner, P Groves, S Handley, A Harewood, S Hogben, S Holland, M Houston, M Hunter, D Jefferay, L Jeuda, A Kolker, C Leach, I Macfarlane, N Mannion, A Martin, A Moran, R Moreton, B Murphy, D Murphy, J Nicholas, K Parkinson, J Parry, B Puddicombe, P Redstone, J Rhodes, B Roberts, L Roberts, J Saunders, M Sewart, M Simon, J Smith, D Stockton, A Stott, R Vernon, L Wardlaw, M Warren, J Weatherill and P Williams, J Wray

### **1 PRAYERS**

The Mayor's Chaplain said prayers at the request of the Mayor.

### **2 APOLOGIES FOR ABSENCE**

Councillors D Brown, L Gilbert, A Gregory, G Hayes, D Marren, S Pochin and N Wylie.

### **3 DECLARATIONS OF INTEREST**

It was noted that Councillor Barry Burkhill and Councillor Steve Edgar had a personal interest in the appointment of Mayor and of Deputy Mayor, respectively.

### **4 ELECTION OF MAYOR 2019/20**

Council was requested to elect a Mayor for the Borough of Cheshire East for 2019/20, who would also act as Chairman of the Council for that period.

It was proposed by Councillor Arthur Moran, seconded by Councillor Craig Browne and: -

## **RESOLVED**

That Councillor Barry Burkhill be elected Mayor of the Borough of Cheshire East for the year 2019/20 and be appointed as Chairman of the Council for that period.

The Mayor was invested with his chain of office and then completed his Declaration of Acceptance of Office and took the oath of loyalty.

The Mayor thanked the Council for electing him to this office and informed Members that his wife, Mrs Sue Burkhill, was to be his Mayoress. He was then invested with the badge of office.

**(Councillor Burkhill, as Mayor, took the chair).**

#### **5 APPOINTMENT OF DEPUTY MAYOR 2019/20**

Council was requested to appoint a Deputy Mayor of the Borough of Cheshire East for the year 2019/20, who would also act as Vice-Chairman of the Council for that period.

It was proposed by Councillor Peter Groves, seconded by Councillor Allen Gage and:-

#### **RESOLVED**

That Councillor Steve Edgar be appointed as Deputy Mayor of the Borough of Cheshire East for the year 2019/20 and as Vice-Chairman of the Council for that period.

The Deputy Mayor thanked the Council for appointing him to this office and announced that his wife, Mrs Barbara Edgar, would be his Consort.

#### **6 VOTE OF THANKS TO RETIRING MAYOR**

Councillor Rachel Bailey paid tribute to the retiring Mayor, Councillor Lesley Smetham and her Consort, Mr David Smetham, for the dedicated work that they had undertaken during their term of office.

The Mayor presented Councillor Smetham with a Past Mayor's Medal and Mr David Smetham with a Past Consort's medal.

Councillor Smetham then addressed Council, as outgoing Mayor.

#### **7 MAYOR'S ANNOUNCEMENTS**

The Mayor thanked all those who had attended the Mayor Making Ceremony and stated that the meeting would now be adjourned and would be reconvened, following lunch.

#### **8 APOLOGIES FOR ABSENCE**

Apologies for absence were updated.

## 9 **DECLARATIONS OF INTEREST**

Catherine Parkinson (Interim Director of Governance & Compliance) declared an interest in item 16 of the agenda - Report for Information: Interim Appointment of Director of Governance and Compliance (incorporating the Statutory Monitoring Officer role), and left the meeting during consideration of this matter.

## 10 **MINUTES OF PREVIOUS MEETING**

### **RESOLVED**

That the minutes of the meeting of Council held on 21 February 2019 and the special meeting of Council held on 5 March 2019 be approved as a correct record.

## 11 **ELECTION OF LEADER OF THE COUNCIL**

Nominations were invited for the election of the Leader of the Council.

The following nominations were submitted:-

Councillor Sam Corcoran.  
Councillor Janet Clowes.

### **AMENDMENT**

An amendment to replace recommendation 2.1 with the following wording was proposed and seconded:-

“That the appointment of the Leader of the Council be for one year only, and that the Constitution be amended accordingly”.

Following the debate on the amendment, a requisition for a named vote was submitted. The amendment was put to the meeting with the following results:-

### **FOR**

Councillors M Addison, M Asquith, R Bailey, M Beanland, M Benson, J Clowes, S Davies, T Dean, S Edgar, JP Findlow, A Gage, S Gardiner, P Groves, S Holland, A Kolker, C Leach, A Martin, K Parkinson, P Redstone, J Saunders, M Sewart, M Simon, L Smetham, J Smith, D Stockton, L Wardlaw, J Weatherill, and J Wray.

### **AGAINST**

Councillors Q Abel, S Akers Smith, J Barber, L Brathwaite, J Bratherton, S Brookfield, C Browne, J Buckley, C Bulman, P Butterill, S Carter, S Corcoran, L Crane, A Critchley, D Edwardes, B Evans, H Faddes, A Farrall, K Flavell, R Fletcher, D Flude, T Fox, M Goldsmith, S Handley, A Harewood, S Hogben, M Houston, M Hunter, D Jefferay, L Jeuda, I Macfarlane, N Mannion, A Moran, R Moreton, D Murphy, J Nicholas, J Parry, B Puddicombe, J Rhodes, B Roberts, A Stott, R Vernon, M Warren and P Williams.

### **NOT VOTING**

Councillors B Burkhill, B Murphy and L Roberts.

The amendment was declared lost, with 28 votes for, 44 against and 3 not voting.

Following the named vote, the substantive motion was voted upon, by show of hands, with the following results:-

Councillor Sam Corcoran – 43 votes.

Councillor Janet Clowes – 25 votes.

2 not voting

### **RESOLVED**

That Councillor Sam Corcoran be elected as Leader of the Council for a four year term of office.

Following his election, the Leader of the Council reported and circulated details of his Cabinet members and their portfolios as follows:-

Leader	- Cllr S Corcoran
Deputy Leader	- Cllr C Browne

#### Cabinet members

Children & Families	- Cllr D Flude
Adult Social Care & Health	- Cllr L Jeuda
Public Health & Corporate services	- Cllr J Rhodes
Communities	- Cllr M Warren
Planning	- Cllr T Fox
Highways & Waste	- Cllr B Roberts
Environment & Regeneration	- Cllr N Mannion
Finance, IT & Communications	- Cllr A Stott

### **RESOLVED**

1. That the report of the Leader of the Council regarding his Cabinet and their portfolios be noted.

2. That delegated authority be granted to the Monitoring Officer to make any consequential amendments to the Constitution.

## **12 POLITICAL REPRESENTATION ON THE COUNCIL'S COMMITTEES**

Consideration was given to a report and its appendix, to determine the political representation on the Council's Committees and to appoint those Committees.

### **RESOLVED**

1. That the political group representation, as set out in the Appendix to the report, as circulated at the meeting, and the methods, calculations and conventions used in determining this, as outlined in the report, be adopted, and that the allocation of places to Committees be approved and the listed Committees be appointed.
2. That the Committee Chairmen and Vice Chairmen allocations be noted, as set out in the Appendix: "(C)" denoting the allocation of the office of Chairman to political groups and "(VC)" denoting the allocation of the office of Vice Chairman to political groups.

## **13 ALLOCATIONS TO THE OFFICE OF CHAIRMAN AND VICE CHAIRMAN**

Consideration was given to the allocation of Chairmanships and Vice-Chairmanships of the Council's decision-making and other bodies.

### **RESOLVED**

That the office of Chairman and Vice-Chairman be allocated to the political groups, of each of the Council's decision making and other bodies, as indicated in the report and as listed in the Appendix to the previous agenda item.

## **14 APPOINTMENTS TO ADOPTION PANEL AND FOSTERING PANEL**

Consideration was given to a report inviting Council to approve a number of appointments to Statutory Panels which did not fall within the definition of "Committee" for the purpose of legislation.

### **RESOLVED**

1. That Councillor Brian Puddicombe be appointed to the Adoption Panel.
2. That Mrs Gillian Merry be appointed to the Fostering Panel.

**15 APPOINTMENTS TO THE CHESHIRE POLICE AND CRIME PANEL AND THE CHESHIRE FIRE AUTHORITY**

Consideration was given to a report inviting Council to make appointments to the Cheshire Fire Authority and the Cheshire Police and Crime Panel. Council was asked to appoint eight Councillors to the Cheshire Fire Authority and to appoint three Councillors and a nominated substitute to the Cheshire Police and Crime Panel.

**RESOLVED**

That Councillors Anthony Critchley, Paul Findlow and Mick Warren be appointed to the Cheshire Police and Crime Panel, with Councillor Denis Murphy as named substitute.

That Councillors Cllrs Rachel Bailey, Michael Beanland, David Brown, David Edwardes, Dorothy Flude, Nick Mannion, James Nicholas and Jonathan Parry be appointed to the Cheshire Fire Authority.

**16 REPORT FOR INFORMATION: INTERIM APPOINTMENT OF DIRECTOR OF GOVERNANCE AND COMPLIANCE (INCORPORATING THE STATUTORY MONITORING OFFICER ROLE**

(Catherine Parkinson, Interim Director of Governance & Compliance, had declared an interest in this item and left the meeting during its consideration).

The Staffing Committee, at its meeting on 25 April 2019, had considered a report which detailed the appointment of the Interim Director of Governance and Compliance and had received a verbal report on the recruitment of the Director of Governance and Compliance.

The new Corporate Services structure had come into effect on 1 April 2019 and included a new post of Director of Governance and Compliance, whose role included that of Monitoring Officer. As the appointment of Monitoring Officer would normally be made by Council which would not be meeting until 22 May 2019, the Acting Chief Executive, under the urgency procedure, had taken the decision on the appointment of the Interim Director of Governance and Compliance. There would have been an unacceptable risk to the Council to be without a Monitoring Officer for the period 1 April 2019 to the date of the Annual Council meeting on 22 May 2019.

The Staffing Committee had resolved that that the urgent decision in relation to the appointment of the Interim Director of Governance and Compliance be noted and be reported to Council on 22 May 2019.

**RESOLVED**

That the urgent decision in relation to the appointment of the Interim Director of Governance and Compliance be noted.

**17 APPOINTMENT OF DIRECTOR OF GOVERNANCE AND COMPLIANCE (INCORPORATING THE STATUTORY MONITORING OFFICER ROLE)**

Consideration was given to a report relating to the appointment of Director of Governance and Compliance (incorporating the Statutory Monitoring Officer role).

The Staffing Committee, at its meeting on 10 April 2019, had resolved that Council be recommended to approve the appointment of Jan Bakewell to the new position of Director of Governance and Compliance, including the Monitoring Officer role, at the inclusive salary of £102,842.00, subject to satisfactory references and Cabinet consultation.

Subsequently, Cabinet Members had been consulted and had supported the recommendation and satisfactory references had been received.

**RESOLVED**

That the appointment of Jan Bakewell, as the Director of Governance and Compliance (and Monitoring Officer), on an inclusive salary of £102,842 per annum be approved.

**18 NOTICES OF MOTION**

Consideration was given to the following Notices of Motion, which had been submitted to Council in accordance with Council Procedural Rules:-

**1 CHANGE IN THE COUNCIL'S GOVERNANCE ARRANGEMENTS**

**Proposed by Councillor James Nicholas and seconded by Councillor Joy Bratherton**

The Notice of Motion, as set out in the agenda papers, was proposed and seconded, as follows:-

“This Council is committed to implementing a change in decision-making governance arrangements, comprising the cessation of the current Leader and Cabinet model of governance, and the implementation of a full Committee model of governance; this to be developed during 2019/20 with a view to the new arrangements taking effect from the beginning of the 2020/21 Municipal Year, subject to a legally and constitutionally robust process, led by the Council's Constitution Committee, and agreed by Council.”

**AMENDMENT**

An amendment to substitute the above wording with the following was proposed and seconded:-

"This Council instructs the Constitution Committee to undertake a Comparative Analysis of the efficiency and cost-effectiveness of the Council's current "cabinet system" **as against** :

1. The so-called "full committee system" and **as against ...**
2. An amended cabinet system designed to give opposition councillors wider opportunities to influence the Council's decision-making process **as against....**
3. Any other appropriate system

In giving this instruction, this Council expresses its wish to have agreed changes implemented within the Municipal year 2020/21."

Following debate, a vote was taken on the amendment and the amendment was declared lost.

## **RESOLVED**

That the Notice of Motion be approved.

## **2 CLIMATE CHANGE**

**Proposed by Councillor Sam Corcoran and seconded by Councillor Quentin Abel**

"This Council notes that on 1 May Parliament declared an environment and climate emergency and

- a) requests that a Cheshire East Environmental Strategy is brought forward as a matter of urgency
- b) commits to the target of Cheshire East Council being carbon neutral by 2025 and asks that details of how to meet this commitment are included in the Environmental Strategy
- c) will work to encourage all businesses, residents and organisations in Cheshire East to reduce their carbon footprint by reducing energy consumption and promoting healthy lifestyles."

The following information was submitted along with the Notice of Motion:

*motion passed by Parliament 1/5/19*

That this House declares an environment and climate emergency following the finding of the Inter-governmental Panel on Climate Change that to avoid a more than 1.5°C rise in global warming, global emissions would need to fall by around 45 per cent from 2010 levels by 2030, reaching net zero by around 2050; recognises the devastating impact that volatile and

extreme weather will have on UK food production, water availability, public health and through flooding and wildfire damage; notes that the UK is currently missing almost all of its biodiversity targets, with an alarming trend in species decline, and that cuts of 50 per cent to the funding of Natural England are counterproductive to tackling those problems; calls on the Government to increase the ambition of the UK's climate change targets under the Climate Change Act 2008 to achieve net zero emissions before 2050, to increase support for and set ambitious, short-term targets for the roll-out of renewable and low carbon energy and transport, and to move swiftly to capture economic opportunities and green jobs in the low carbon economy while managing risks for workers and communities currently reliant on carbon intensive sectors; and further calls on the Government to lay before the House within the next six months urgent proposals to restore the UK's natural environment and to deliver a circular, zero waste economy.

**RESOLVED**

That the Notice of Motion be approved.

The meeting commenced at 11.00 am and concluded at 3.55 pm

Councillor L Smetham (Chairman)  
CHAIRMAN