

## **COUNCIL – 17 FEBRUARY 2021**

### **NOTICES OF MOTION**

#### **Submitted to Council in Accordance with paragraph 1.34 of the Council Procedural Rules**

#### **1 Universal Credit**

#### **Proposed by Councillor L Smith and Seconded by Councillor D Marren**

This Council notes:

- This April the Government plan to cut the benefit level for millions of claimants by ending of the time limited increase to the basic rate of Universal Credit (and the tax credit equivalent) announced by the Chancellor on 20th March as part of his pandemic response package.
- The £20 a week boost reflected the reality that the level of benefits were not adequate to protect the swiftly increasing number of households relying on them as the crisis hit. Exactly because that increase was a very significant and welcome move to bolster low- and middle-income families living standards, its removal will be a huge loss.
- Pressing ahead would see the level of unemployment support fall to its lowest real-terms level since 1990-91, and it's lowest ever relative to average earnings. Indeed, the basic level of out-of-work support prior to the March boost was – at £73 a week (£3,800 a year) – less than half the absolute poverty line.
- The increase in benefits have had a positive effect on the lives of thousands of local claimants who are better able to pay for life's essentials such as food, clothing and utilities.
- The local economy has also benefited from the increase in benefit levels as claimants spend their money locally thereby supporting local businesses and jobs.

This Council resolves to:

- Write to the Chancellor, Rushi Sunak and to the Prime Minister, Boris Johnson demanding that the £20 increase to Universal Credit is made permanent and extended to claimants on legacy benefits.
- Work with other local government organisations to form a coalition to pressure the government to make the £20 increase to Universal Credit permanent.

## **2 International Holocaust Remembrance Alliance definition of Anti-Semitism**

**Proposed by Councillor S Gardiner and Seconded by Councillor M Asquith**

This Council reaffirms its commitment to employ the International Holocaust Remembrance Alliance (IHRA) definition of anti-Semitism as a key pillar of the Council's equality and diversity policies.

*Background:*

*Cabinet approved the adoption by the Council of the International Holocaust Remembrance working definition of antisemitism at its meeting on 6th November 2018*  
<http://moderngov.cheshireeast.gov.uk/ecminutes/ieListDocuments.aspx?CId=241&MID=7080#A143416>

## **3 Covid 19 Vaccination Programme Thanks**

**Proposed by Councillor R Bailey**

This Council places on record their thanks to all involved in the Covid 19 vaccination programme within Cheshire East. This includes all health staff, Cheshire Fire and Rescue Service and volunteers.

Briefing Note	<b>Motion of No Confidence</b>
To	All Members of Cheshire East Council
From	Monitoring Officer
Dated	8 February 2021

### **Purpose**

To advise the Deputy Mayor and Council on the motion proposed by Cllr Wardlaw in respect of the Mayor.

### **Formalities**

Cheshire East Council's constitution allows for Notices of Motions at budget council.

The Notice of Motion is properly received within time.

- Vexatious: to be vexatious it would require there to be insufficient grounds, or so little evidence that no reasonable person could vote for the motion.
- Irrelevant: The identity and conduct of the Mayor is a relevant consideration for the Council.
- Defamatory: damaging the good reputation of someone; slanderous or libellous. The motion simply refers to matters already in the public domain.
- Frivolous: A decision on a Mayor continuing in office is a serious.
- Offensive: Although the Notice of Motion may cause the Mayor to feel resentful, upset, or annoyed, it would not necessarily have the same impact upon a reasonable bystander.
- Otherwise improper: No suggestion of impropriety, but the legal and constitutional framework provide for an alternate route to resolve the underlying factual matrix.

### **Considerations**

Although the Notice of Motion falls within the remit of full council, the proposed resolution requires Council to base its decision on clear evidence.

The Localism Act 2011, the constitution and common-law, provide a framework for Councils to make decisions if *'our Mayor's participation in that meeting has led us to believe he has brought this Council and his role within this Council into disrepute.'* and *'The inaction of the Mayor could be seen as a demonstration of his complicity in the bullying that occurred,'*

This is a statement of belief and appearance. To establish if there is any merit in the suggestion made will require the motion to be referred to the Member Code of Conduct process and eventual consideration by the Standards Committee. The Standards Committee after receiving a full report of the investigation, hearing from the participants, considering the views of the independent person, ensuring a fair and impartial process is followed may then refer the matter to full council with any findings or recommendation.

## **Conclusion**

The motion has been tabled but it may not proceed to debate and must be referred to the Standards Committee who are responsible for the Member Code of Conduct & complaint process.

## **4 Mayor of Cheshire East Council**

### **Proposed by Councillor L Wardlaw and Seconded by Councillor J Saunders**

The recent national coverage of the Handforth Parish Council meeting and our Mayors' participation in that meeting has led us to believe he has brought this Council and his role within this Council into disrepute.

He made no attempt to intervene as it became clear participants in that meeting were being bullied.

The work that has been done at Cheshire East over the last 3 years with the cooperation and commitment of all Members and officers to transform its culture and reputation from one of bullying and intimidation has been undermined by this sad episode.

The inaction of the Mayor could be seen as a demonstration of his complicity in the bullying that occurred, and this cannot be ignored if the integrity of the Brighter Futures Programme is to be maintained.

The role of Mayor is one that should promote Cheshire East Council, its residents, and its businesses across the country. In accepting the role as representative of Her Majesty Queen Elizabeth, the Mayor should be mindful at all times of his reputation and of those he represents. Sadly, the recent highly publicised events have shown that this has not been the case for Cllr Mr Barry Burkhill.

### **Motion**

In light of the above this Council resolves that it has no confidence in the Mayor and that his term of office as Mayor and Chairman of the Council will cease immediately.