

POLICY AND PERFORMANCE - CO-ORDINATING COMMITTEE

Thursday, 7 August 2014

Present: Councillor M McLaughlin (Chair)

Councillors T Anderson M Hornby
B Berry C Muspratt
C Blakeley D Realey
P Brightmore D Roberts
R Gregson W Smith
P Gilchrist I Williams
A Hodson KJ Williams

8 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Paul Doughty, Anita Leech, Janette Williamson, Mike Sullivan, Wendy Clements and Steve Williams.

9 CODE OF CONDUCT - DECLARATIONS OF INTEREST RELEVANT AUTHORITIES (DISCLOSABLE PECUNIARY INTERESTS) REGULATIONS 2012, INCLUDING PARTY WHIP DECLARATIONS

Councillor Christine Muspratt declared a personal and prejudicial interest in agenda item 3 – Call-in of a Delegated Decision – Cabinet Minute No. 37 – Transformation of Leisure Services Sports and Leisure Facilities Pricing Structure – by virtue of a close family connection with the armed forces.

Councillor Chris Blakeley declared a personal interest in agenda item 3 and also agenda item 4 - Call-in of a Delegated Decision - Cabinet Minute No. 27 – Financial Monitoring 2014/15, as he was a signatory to both key decisions being called in.

The Chair asked whether any Members were subject to a Party Whip and all Members of the Committee confirmed that they were not.

ADJOURNMENT OF THE MEETING TO FUTURE DATES

- (a) Proposal to adjourn the meeting to 6pm on 23 September 2014 when the Committee would consider the called in delegated decision on the Transformation of Leisure Services Sports and Leisure Facilities Pricing Structure (Cabinet Minute No. 37 refers.)

The Chair moved the above proposal which was seconded by Councillor Christina Muspratt. It was then put to the vote and it was

RESOLVED: (unanimously)

That the Committee adjourn until 6pm on Tuesday, 23 September 2014 when it will reconvene in order to give consideration to the Cabinet's decision on the Transformation of Leisure Services Sports and Leisure Facilities Pricing Structure.

- (b) Proposal to adjourn the meeting to 6pm on 18 September 2014 when the Committee would consider the called in delegated decision on Financial Monitoring 2014/15 (Cabinet Minute No. 27 refers.)

Councillor Chris Blakeley informed that he was not in favour of the proposal because there were three Members of the Committee who were members of his Political Group, including himself, that were unable to attend the meeting if it was to be held at 6pm on 18 September 2014.

The Chair considered that the three Members who were unable to attend should either change their diary arrangements or use deputies. She then informed the Committee of the following sequence of events which had led to the proposals to hold Special meetings of the Committee on 18 September 2014 ((a) above refers) and on 23 September 2014 as follows:

- On 23 July 2014 the Chair had been notified by a Committee Officer that two valid call-ins had been received and been asked if she wanted to convene one or two Special Committee meetings to hear them. She had preferred one meeting at which to hear both call-ins and had provided possible dates for the meeting.
- On 25 July 2014 the Committee Officer had informed the Chair that she had been unable to find a suitable date within the 15 working days laid down in Standing Order No. 35.

- The Head of Legal and Member Services advised that it was permissible to convene a Committee meeting within the 15 working days and then adjourn it to a future date.
- The Group Spokespersons were asked if they would agree to convening the Committee meeting within the 15 working days and then adjourning it to a future date. The Spokespersons agreed to this request.
- Councillor Blakeley then asked if there could be two Special meetings of the Committee reconvened, one to consider each of the two called in decisions and the Chair agreed to this request.
- The Group Spokespersons were then asked to provide dates when they were available to attend the reconvened Committee meetings.
- The dates provided in the last two weeks of August 2014 were not acceptable to Councillor Blakeley so the Chair agreed to look for dates on which to hold the reconvened meetings in September 2014.
- On 29 August 2014 the Chair explained that she did not want the meeting to be held after September 2014 as she considered that this would constitute an excessive delay of over two months and would be seen as bad practice.
- The next suitable dates were in week commencing 15 September 2014 but there was a Committee meeting scheduled on each evening. However, the Standards and Constitutional Oversight Committee scheduled for 18 September 2014 was cancelled and as no one had indicated they were not available this date was reserved for the Financial Monitoring call-in. The following week was also considered but only 23 September 2014 was available.
- The meeting on 18 September 2014 was confirmed and Members were informed of this on 1 August 2014.
- On 6 August 2014 Councillor Blakeley informed that he was not available at all week commencing 15 September 2014 and asked for the meeting to be moved to the following week. This was the first indication that he was unavailable. There were no free dates in that week.
- Due to the difficulties experienced in finding suitable dates for the meeting, that no one had indicated they were unavailable in

week commencing 15 September 2014 when the 18th was put in Members' diaries and Councillor Blakeley leaving it until the day before this meeting to make his request, the Chair did not agree to his request and intended to ask the Committee to agree to the date that was circulated and accepted during the previous week (18 September 2014).

Councillor Blakeley informed that the meeting was being adjourned to accommodate Officers who were unable to attend this evening and that he considered it should be adjourned to such a time in October 2014 when the three Members who were unable to attend a meeting on 18 September 2014 were available to attend. He moved this and it was seconded by Councillor Tom Anderson.

The motion was then put to the vote and was lost (5:10).

The Chair then moved a motion as set out in (b) above which was seconded by Councillor Muspratt. It was then put to the vote and

RESOLVED: (10:5 with Councillor Blakeley voting against)

That the Committee adjourn until 6pm on Thursday, 18 September 2014 when it will reconvene in order to give consideration to the Cabinet's decision on Financial Monitoring 2014/15.

11 **THE STATUS OF SIGNATORIES TO CALL-INS WHO ARE ALSO MEMBERS OF THE COMMITTEE**

The Chair asked the Head of Legal and Member Services to clarify whether it was appropriate for those Members who were signatories to the call-ins to also sit on the Committee that would hear and consider those call-ins.

The Head of Legal and Member Services advised that in a previous call-in this issue had been raised and whilst there were no restrictions on Members hearing the call-in and being signatories to it, providing they had not pre-determined the matter or were biased, a number of Members had expressed views that it would be preferred that signatories to a call-in did not sit on the Committee to hear it. The Head of Service advised that to give effect to the views expressed previously, Members who were signatories to a call-in should not sit on the Committee that would hear and consider it. However, this limitation had not been formalised by the Policy and Performance Co-ordinating Committee.

Councillor Blakeley informed the Committee that he did not agree with the Head of Legal and Member Services and that he would continue to participate as a Committee Member at Special Committee meetings arranged for the purpose of hearing and considering called in key decisions, when he was also

a signatory to the call-in under consideration. Councillor Blakeley maintained that he had, and continued to have, an open mind in relation to the call-in and the subject matter. However, he would not be doing this at the Special meeting of the Committee scheduled for 18 September 2014 as he was unable to attend.