

OVERVIEW AND SCRUTINY COMMITTEE

6.00 P.M.

15TH MAY 2018

PRESENT:- Councillors Nigel Goodrich (Chairman), June Ashworth, Alan Biddulph, Tracy Brown, Charlie Edwards (substitute for Brett Cooper), Caroline Jackson, Roger Mace, John Reynolds (substitute for Rob Devey) and David Whitaker

Apologies for Absence:-

Councillors Brett Cooper and Rob Devey

Also in Attendance:-

Councillor Eileen Blamire – Leader of the Council

Officers in attendance:-

Susan Parsonage	Chief Executive
David Brown	Interim Head of Legal and Democratic Services
Debbie Chambers	Democratic Services Manager
Dave Rigby	Interim HR Manager
Paul Thompson	Accountancy Manager and Deputy S151 Officer
Stephen Metcalfe	Principal Democratic Support Officer
Jenny Kay	Civic and Ceremonial Democratic Support Officer

62 EXCLUSION OF PRESS AND PUBLIC

Details of the proposed restructure were set out in an appendix, which was exempt from publication by virtue of paragraphs 1 and 2 of Schedule 12a of the Local Government Act 1972.

It was proposed by Councillor David Whitaker, seconded by Councillor June Ashworth and resolved unanimously:

Resolved unanimously:

That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that it could involve the possible disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 12A of that Act.

The press and public were excluded from the meeting at this point.

63 REQUEST TO CALL IN CABINET DECISION - EXECUTIVE TEAM: ROLES AND STRUCTURE - CABINET MINUTE 96

Members were advised that the Cabinet decision in relation to Executive Team: Roles and Structure - Cabinet Minute 96, had been called-in by the following 5 Members:

Councillors Nigel Goodrich, Caroline Jackson, Phillippa Williamson, Tim Hamilton-Cox and Dave Brookes.

The meeting was adjourned at 6.03pm to allow those present time to consider advice notes that had been prepared by the Interim Head of Legal and Democratic Services and the Deputy Section 151 Officer.

The meeting was reconvened at 6.09pm

Members were informed that the Call-in had been made on the basis that the decision had not been made in accordance with all the principles set out in Article 13 (Decision Making) of the Constitution, in particular :

- (b) Lack of, or insufficient consultation and the taking of professional advice from Officers.
- (f) Insufficient information about the options that were considered or the reasons for arriving at the decision.
- (g) Other (reasons contained in the Call-in notice).

The Chairman outlined the procedure to be followed and invited the Councillors who had made the Call-in request to summarise the reasons for the Call-in. Councillor Hamilton-Cox set out the reasons for the Call-in.

The Chairman invited Councillor Eileen Blamire (Leader of the Council) to explain the reasons for the decision of Cabinet.

The Chairman invited signatories to the Call-in to ask questions and Councillor Blamire, the Chief Executive and the Interim HR Manager responded.

The Overview and Scrutiny Committee Members were then invited to ask questions and Councillor Blamire, the Chief Executive and the Interim HR Manager responded.

The meeting adjourned at 7.44pm and re-convened at 7.58pm to allow the Call-in signatories to confer.

It was proposed by Councillor Caroline Jackson and seconded by Councillor Charlie Edwards:-

“The decision to commence a statutory consultation requires that Cabinet has confidence in the robustness of the proposals.

Because this robustness has not been demonstrated informally to the general membership of the Council we believe the decision to consult was premature and should be reversed.

- (1) The recommendation from the Overview and Scrutiny Committee is that formal consultation should not be approved until such time as Cabinet has determined that the proposals for the restructure have been demonstrated to be robust ie financially and commercially viable.
- (2) That consultation on restructuring should be wider than the statutory consultation with those people directly affected.
- (3) That all informal consultations with Council Members should be minuted and reported in to Cabinet."

It was suggested and agreed that the recommendations should be voted on separately.

Regarding the pre-amble and recommendation (1), upon being put to the vote, 4 Members voted in favour and 5 against whereupon the Chairman declared the proposition lost.

Upon being put to the vote, Recommendation (2), 8 Members voted in favour and 1 voted against, whereupon the Chairman declared the proposition carried.

With regard to Recommendation (3), upon being put to the vote, 7 Members voted for, 1 against and 1 abstained, whereupon the Chairman declared the proposition clearly carried.

Resolved:

That the Overview and Scrutiny Committee recommend to Cabinet :

- (1) That consultation on restructuring should be wider than the statutory consultation with those people directly affected.
- (2) That all informal consultations with Council Members should be minuted and reported in to Cabinet.

Chairman

(The meeting ended at 8.10 p.m.)

**Any queries regarding these Minutes, please contact
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or email jkay@lancaster.gov.uk**