

**BOROUGH OF POOLE  
EXTRAORDINARY COUNCIL MEETING  
12 FEBRUARY 2008**

The Meeting commenced at 7:03pm and finished at 8:45pm.

Present:

Councillor Allen (Mayor)  
Councillor Mrs Butt (Deputy Mayor)  
Councillor Mrs Lavender (Sheriff)  
Councillors Adams, Ms Atkinson, Brooke, Brown, Bulteel, Burden, Clements, Collier, Curtis, Mrs Dion, Eades, Mrs Evans, Gillard, Mrs Haines, Mrs Hillman, Leverett, Mrs Long, Maiden, Martin, Mason, Matthews, Meachin, Mrs Moore, Parker, Plummer, Rampton, Sorton, Mrs Stribley, Trent, Mrs Walton, White, Miss Wilson, Wilson and Woodcock.

Members of the public present at the Meeting: 7

Members of the Standards Committee present at the Meeting: 2

**C139.08**      PRAYERS

Prayers were said

**C140.08**      APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Chandler, Mrs Deas, Gregory, Montrose and Wilkins.

**C141.08**      DECLARATIONS OF INTEREST

There were no declarations of interest.

**C142.08**      REVISION TO THE CURRENT SCHEME OF MEMBERS' ALLOWANCES  
AND PROPOSALS FOR THE NEXT FOUR YEARS: REPORT OF THE HEAD OF  
LEGAL AND DEMOCRATIC SERVICES

Councillor Leverett introduced this Report, explaining that two additional Cabinet Portfolio Holders had been appointed by the Council on 19 June 2007 and the Independent Remuneration Panel on Members' Allowances had met in October 2007 and, at the Council's request, reconvened in January 2008 to consider proposed amendments to the Council's current Scheme of Members' Allowances to consider making payment of 2 additional Special Responsibility Allowances (SRA's) to each of the two additional Cabinet Portfolio Holders, effective from the date of their appointment.

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The Independent Panel had also been asked to consider recommending the payment of a Special Responsibility Allowance to the Chairman of the “Call-in” Scrutiny Committee. The Panel also looked at the possibility of paying a Special Responsibility Allowance to the Chair of the Scrutiny Board and considered the Council’s proposal that no allowance should be paid to a Member who has been absent from Council Meetings for more than 6 months.

Councillor Leverett explained that he felt it had been necessary to recommend to Council the appointment of two additional Cabinet Portfolio Holders due to the extra workload, resulting from changes in legislation and increases in responsibilities for all Cabinet Members. In particular, he felt the appointment of a Portfolio Holder for Equalities, Social Inclusion and Active Communities highlighted the importance the Council placed on ensuring that this Agenda was embedded in its work.

A number of Members spoke in favour of the proposals, explaining that they felt it was important that the responsibility of Cabinet Portfolio Holders be recognised and that with this responsibility went accountability which should be properly remunerated. Some Members were supportive of the recommendations from the Independent Panel and felt that the Leader had put a good case to the Panel in support of the extra Cabinet Portfolio Holder Posts and payment. They reminded the Council that the Panel was independent. A Member explained that the Government had also recommended to Councillors through the Department for Culture, Media and Sport, that there should be a Portfolio Holder with responsibility for the areas of Culture and Leisure.

A Member felt there was a misunderstanding of the work of Cabinet and queried whether the integrity of the Independent Panel was being challenged by criticising its recommendations?

A number of Members spoke against the recommendations, in particular those relating to the proposal payment of Special Responsibility Allowances to the two additional Portfolio Holders, citing the following reasons:-

- Hypocrisy, as four years ago a large increase in Members Allowances was supported by this Council and other Members had been advised that they had to accept the recommendations of the Independent Panel although they were against the increase.
- The original, draft, Report of the Independent Panel was not acted upon when it suggested that the total of the Special Responsibility Allowances for six Portfolio Holders should be shared between 8.
- The extra work requiring the appointment of additional Portfolio Holders was disputed and reference made to the Report of the Independent Panel where it was suggested that the Council should produce detailed Job Descriptions for all Posts attracting a Special Responsibility Allowance and Councillors generally, suggesting that the role of Cabinet Portfolio Holders was not clear.
- Issues over competency in some Portfolio areas were also raised.

A Member referred to the multiple Special Responsibility claims allowed by previous Administrations. A Member referred to the fact that the Council was facing cuts in library services, an increase in Social Services charges and found it difficult to reconcile that the Council was being asked to award two additional Special Responsibility Allowances in this financial climate.

Reference was made to the honour of public service with which some Members agreed but felt that in the twenty-first century it was good practice for Members Allowances and Special Responsibility Allowance payments to be made to allow all members of the community to consider becoming elected representatives.

A Member made reference to the fact that, if two additional Portfolio Holders were required due to an increase in workload, then the workload would be lessened the number of Cabinet Members who were Members or substitutes on Planning Committee in line with Audit Commission guidance. She felt that there were six key objectives for the Council then, only six Portfolio Holders were needed to steer and guide the Council in reaching these objectives.

A Member queried whether the Independent Panel had worked on accurate information? He stated that although all Councillors were invited to make submissions to the Panel, the Leadership of the Council had waited to read the submissions from other Members before making their own representations to the Panel and referred to a representation from a Member of the Council in relation to his own payments. He went on to explain that he had declined to accept the higher allowance following the introduction of the new Committee system in the transitional period 2000/2001 until it was payable to all Members of the Executive. He informed the Council that all payments in relation to the previous Committee system had ceased four months into that Municipal Year.

The requisite number of Members requested that voting be recorded on each of the recommendations.

It was moved, seconded and RESOLVED

“that voting on each of the proposals in relation to amendments to the current scheme of Members Allowances, be recorded.”

Voting was as follows:-

It was moved and seconded

- (i) that two additional Special Responsibility Allowances (SRA's) for the two additional Cabinet Portfolio Holders, be approved, back-dated to the date of implementation, 19 June 2007. This equates to £8,325 per Portfolio Holder pro rata (an increase from six Portfolio SRA's to eight).

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For: Councillors Adams, Ms Atkinson, Mrs Butt, Bulteel, Burden, Collier, Mrs Dion, Mrs Evans, Mrs Haines, Mrs Hillman, Mrs Lavender, Leverett, Parker, Rampton, Sorton, Mrs Stribley, Mrs Walton, White and Woodcock.

Against: Councillors Brooke, Brown, Clements, Curtis, Eades, Mrs Long, Maiden, Martin, Mason, Matthews, Meachin, Mrs Moore, Plummer, Trent, Miss Wilson and Wilson.

Abstained: Councillor Allen (the Mayor) and Councillor Gillard

- (ii) that a Special Responsibility Allowance be paid to the Chairman of the “Call-in” Scrutiny Committee at the same level of other Scrutiny Chairs (£2498, 30% of Basic Allowance) back-dated from the date of the appointment of the Chairman.

For: Councillors Adams, Mrs Atkinson, Brooke, Brown, Bulteel, Burden, Mrs Butt, Collier, Curtis, Mrs Dion, Eades, Mrs Evans, Mrs Haines, Mrs Hillman, Leverett, Mrs Long, Maiden, Martin, Mason, Mrs Moore, Parker, Plummer, Rampton, Sorton, Mrs Stribley, Tent, Mrs Walton, White, Miss Wilson, Wilson and Woodcock.

Against: 0

Abstained: The Mayor (Councillor Allen), Councillors Clements, Meachin and Gillard.

- (iii) That no Special Responsibility Allowance be paid to the Chair of the Scrutiny Board.

For: Councillors Adams, Mrs Atkinson, Brooke, Brown, Bulteel, Burden, Mrs Butt, Clements, Collier, Curtis, Mrs Dion, Eades, Mrs Evans, Mrs Haines, Mrs Hillman, Leverett, Mrs Long, Maiden, Martin, Mason, Meachin, Mrs Moore, Parker, Plummer, Rampton, Sorton, Mrs Stribley, Tent, Mrs Walton, White, Miss Wilson, Wilson and Woodcock.

Against: 0

Abstained: The Mayor (Councillor Allen), Councillor Gillard

- (iv) That no Allowances be paid to a Member who has been absent from the Council for more than six months.

For: Councillors Adams, Mrs Atkinson, Brooke, Brown, Bulteel, Burden, Mrs Butt, Clements, Collier, Curtis, Mrs Dion, Eades, Mrs Evans, Mrs Haines, Mrs Hillman, Leverett, Mrs Long, Maiden, Martin, Mason, Mrs Moore, Parker, Plummer, Rampton, Sorton, Mrs Stribley, Tent, Mrs Walton, White, Miss Wilson, Wilson and Woodcock.

Against: 0

Abstained: The Mayor (Councillor Allen), Councillors Gillard and Meachin.

- (v) That the current Scheme of Members Allowances, as amended by (i) to (iv) above, be extended until May 2008 when, following further considerations of any changes the Council may approve to its structure, a new scheme will be proposed for adoption by the Council for the next four years.

For: Councillors Adams, Ms Atkinson, Bulteel, Burden, Mrs Butt, Collier, Mrs Dion, Mrs Evans, Mrs Haines, Mrs Hillman, Mrs Lavender, Levereltt, Parker, Rampton, Sorton, Mrs Stribley, Mrs Walton, White and Woodcock.

Against: Councillors Brooke, Brown, Clements, Curtis, Eades, Mrs Long, Maiden, Martin, Mason, Matthews, Meachin, Mrs Moore, Plummer, Trent, Miss Wilson and Wilson.

Abstained: Councillors Allen (the Mayor) and Gillard.

**C143.08**

OVERVIEW AND SCRUTINY: PROPOSED CHANGES TO THE COUNCIL  
STRUCTURE: REPORT OF THE CHAIRMAN OF THE SERVICE  
PROVISION SCRUTINY AND AUDIT COMMITTEE 22 JANUARY 2008

The Mayor explained that the Council was to take this item and Agenda item 5, "Proposed changes to the Constitution relating to Overview and Scrutiny: Report of the Head of Legal and Democratic Services" in conjunction as item 5 was in fact a detailed Appendix to the Chairman of Scrutiny's Report.

Councillor Mrs Haines introduced her Report, explaining that one of the recommendations from the Independent Remuneration Panel was for the Council to move to a combined Overview and Scrutiny Committee structure. The Review of the Council's Constitution and Overview and Scrutiny Working Party had met on two occasions last year to review the current committee structure and to consider how the Council may move to a combined Overview and Scrutiny structure which would affect the Council's current constitution. The recommendations of this Joint Working Party were considered by the Service Provision Scrutiny and Audit Committee at its meeting on 28 January 2008, to which all Members of the Council had been invited to attend.

The Service Provision Scrutiny and Audit Committee considered each recommendation in turn with each point being comprehensively debated, paying particular attention to the longevity and robustness of any change to the current Committee structure. All Members wished to be sure that these changes would not only deal with issues raised by the Independent Remuneration Panel, but that it would result in a smarter and more efficient system being developed that would serve, not just the current Administration but any future Council Administration.

Concerns were raised regarding the exclusion of Cabinet Members from this new structure, leaving non Cabinet Members to be the members of the Overview and Scrutiny Committees, potentially creating more work and responsibility for these Members. Whilst this degree of separation of Cabinet from Scrutiny was required by

law, by combining Overview and Scrutiny there may be a smaller number of Committees but without involvement of the 10 Cabinet Members, less Members to serve on such Committees.

Concern had also been raised about the future of the Transportation Advisory Group and it was concluded that, due to the value of having a public interface, this should continue as a sub-group of Cabinet for the foreseeable future.

The Head of Legal and Democratic Services had raised the point at the Service Provision Scrutiny and Audit Meeting, that the Council's interim Relationship Manager had stated that the Audit Commission recommended that there be a 'stand alone' Audit Committee as opposed to the current arrangement the Council operated.

Councillor Mrs Haines referred to the advice emailed to all Members yesterday by the Head of Legal and Democratic Services on the legal position. It was noted that there was no statutory obligation for a Local Authority to establish a separate Audit Committee and the Head of Legal and Democratic Services stated that good corporate governance required independent, effective assurance about both the adequacy of corporate operational and financial management and the management of other processes required to achieve the organisation's corporate and service objective. CIPFA believed these functions were best delivered by an Audit Committee separate from all Executive functions.

In the absence of a "stand alone" Audit Committee, the Annual Accounts and Governance Report would have to be approved by Full Council. The Service Provision Scrutiny and Audit Committee had considered the proposal to establish a separate Audit Committee and concluded that this best practice recommendation should be followed and recommended the establishment of a separate Audit Committee.

Councillor Mrs Haines moved the recommendations of the Service Provision Scrutiny and Audit Committee to Council for approval. The proposals were seconded.

The following Amendment was then moved and seconded:-

- (viii) insertion of "possible" after "the" to read
- "the possible establishment of a separate Audit Committee" and
- that item (vii) "the Service Provision elements of the suggested Service Provision Partnership and Audit Overview Committee proposal be absorbed into the other five suggested Overview and Scrutiny Committees, as detailed at Appendix 2 to the Report to this Committee" be DEFERRED, to allow further discussion amongst all Members.

A Member commented that there was no recommendation to move to the Overview and Scrutiny Committees proposed at Appendix 2 to the Report as this

had not been properly considered. She felt that the Joint Working Party should look at the revised structure for Overview and Scrutiny Committees.

A Member commented that, he had asked for an all Member Seminar and would still like to see this happen as he felt much could be gained by all Members discussing the proposals for combining of Overview and Scrutiny and the new Council structure.

A Member spoke in support of the Amendments.

On being put to the vote, the Amendments, in the following terms were CARRIED:

- (i) the possible establishment of a separate Audit Committee;
- (ii) that the following be DEFERRED:

“The service provision elements of the suggested Service Provision Partnership and Audit Overview Committee proposal be absorbed into the 5 other suggested Overview and Scrutiny Committees, as detailed at Appendix 2 to the Report to this Committee”;

A further Amendment was moved and seconded in the following terms:

“That paragraph 3.7 of the Independent Remuneration Panel on Members’ Allowances (“The Panel requested that the Council consider the importance of Scrutiny and its purpose and the need for transparency in holding the Executive to account which would be further enhanced if at least one Overview and Scrutiny Committee was Chaired by an Opposition Member”) be incorporated in

Recommendation (vii) “the Joint Working Party of the Review of the Council’s Constitution and Review of Overview and Scrutiny be reconvened to work up the final details of the proposals for approval before the beginning of the next Municipal Year (May 2008).”

On being put to the vote, the above Amendment was LOST.

It was moved, seconded and

RESOLVED that

- (i) that the Council move from its current system of Scrutiny Committees and separate Overview Groups to a unified Overview and Scrutiny system with each Overview and Scrutiny Committee establishing its own Terms of Reference;
- (ii) that Council approve amendments to its Constitution to allow up to 8 Overview and Scrutiny Committees, broadly themed around the Council’s corporate priorities;

- (iii) that the Council continue with a redefined Overview and Scrutiny Board and that the work of the Overview and Scrutiny Committees be co-ordinated by the Overview and Scrutiny Board comprising Chairs of Overview and Scrutiny Committees and such other Members as required for political balance;
- (iv) that the “Call-in” Scrutiny Committee be retained and its operation reviewed after one Municipal Year (May 2009);
- (v) that the Head of Legal and Democratic Services be requested to prepare and present a business case to evidence the resource requirements arising from the combining of the Overview and Scrutiny function;
- (vi) the possible establishment of a separate Audit Committee;
- (vii) the Joint Working Party of the Review of Council’s Constitution and Review of Overview and Scrutiny be reconvened to work up the details of the Proposals for approval before the beginning of the next Municipal Year (May 2008);
- (viii) no amendment to the Council’s Constitution with regard to Transportation Advisory Group (currently constituted by Cabinet) but that its Chairmanship and operation within the Council’s constituted framework be reviewed; and
- (ix) that an Annual Report on Scrutiny undertaken by the Overview and Scrutiny Committees be presented to the Council by each Overview and Scrutiny Committee Chair.

that the following be DEFERRED:

- (x) the service provision elements of the suggested Service Provision Partnership and Audit Overview Committee proposal be absorbed into the 5 other suggested Overview and Scrutiny Committees, as detailed at Appendix 2 to the Report to this Committee;

**MAYOR**