

GENERAL PURPOSES COMMITTEE

Minutes of the meeting held on 8 May 2014 at 6.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Michelle Fenner (Chairman); Councillors S Tomlinson, Everitt, I Gregory, Marson, Poole, Wiltshire, Bayford, Campbell and Grove

In Attendance: Chief Executive - Sue McGonigal, Interim Legal Services Manager – Steven Boyle, Committee Services Manager – Nick Hughes, Interim Director of Corporate Services – Paul Cook

53. APOLOGIES FOR ABSENCE

Apologies were received from Councillors King, Kirby and Hart. Cllr Grove was present as a substitute for Cllr King, Cllr Bayford was present as a substitute for Cllr Kirby and Cllr Campbell was present as a substitute for Cllr Hart.

54. DECLARATIONS OF INTEREST

There were no declarations of interest.

55. MINUTES OF PREVIOUS MEETING

The Interim Legal Services Manager explained that the nature of the business conducted at the previous meeting of the General Purposes Committee meant that it was not appropriate to consider those minutes at this meeting. He added that the legal advice and the minutes would be dealt with at the next meeting of the General Purposes Committee.

Some Members expressed their disappointment that the minutes of the last meeting were not to be agreed at this meeting and suggested that if there were issues with the minutes then they could be taken after the exclusion of the press and public. They added that the lack of transparency was disappointing.

The Chairman explained that the meeting of the 29 April had been an HR meeting and the Committee had not only excluded the press and public but had also requested that all Councillors who were not part of the committee to leave as well. As this meeting was not a meeting dealing with HR issues the minutes of the last meeting should be taken at the next HR related meeting of the General Purposes Committee.

The Interim Legal Services Manager acknowledged the seriousness of not taking the minutes and explained that they would be taken at a future meeting.

Some Members then asked that the meeting continue as legal advice on whether the minutes of the last meeting had been received from the Interim Legal Services Manager and it had been advised that the minutes could not be considered.

A Member explained that at the last meeting of the General Purposes Committee the Committee had spent nearly an hour agreeing the resolutions and they weren't in the minutes.

The Chairman offered an adjournment of the meeting to see if a way forward could be reached.

The meeting was then adjourned at 6.25pm.

The meeting then reconvened at 6.45pm.

56. EXCLUSION OF PUBLIC AND PRESS

It was then proposed from Councillor Fenner and seconded by Councillor Poole and AGREED that:

The public and press be excluded from the meeting during consideration of the item 3 the minutes of the previous meeting, item 5 Appointment of the Interim Director of Corporate Resources and S151 Officer, Appointment of a Sub-Committee to Appoint the Legal Services Manager and Monitoring Officer and Permanent Director of Corporate Resources and S151 Officer and item 7 Appointment of the Interim Monitoring Officer. This is because they contain confidential information by virtue of Paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972.

In addition all Councillors who were not Members of the General Purposes Committee also left the meeting. The Chief Executive also left the meeting for the rest of item 3 Minutes of the Previous Meeting.

57. MINUTES OF PREVIOUS MEETING

The Interim Legal Services Manager then circulated a confidential extract from the minutes of the last meeting. He explained that the extract that had been distributed was a true record of the last meeting.

It was proposed by Councillor Marson and seconded by Councillor Tomlinson and AGREED that:

“Some Members of the General Purposes Committee had requested that Harvey Patterson remained as the Council’s Monitoring Officer for the duration of the investigation.”

It was then proposed and Members AGREED that:

Members accept as amended the minutes circulated to the Members of the General Purposes Committee as a correct record.

Councillor Campbell left the meeting at this point in order to attend another Council meeting.

58. APPOINTMENT OF THE INTERIM DIRECTOR OF CORPORATE RESOURCES AND S151 OFFICER, APPOINTMENT OF A SUB-COMMITTEE TO APPOINT THE LEGAL SERVICES MANAGER AND MONITORING OFFICER AND PERMANENT DIRECTOR OF CORPORATE RESOURCES AND S151 OFFICER

The General Purposes Committee discussed the report and addressed a number of questions to the Chief Executive regarding the appointment process for the Interim Director of Corporate Resources and Section 151 Officer.

It was proposed by Councillor Bayford and seconded by Councillor Tomlinson that:

“The appointment of Paul Cook as Section 151 Officer be put before Council at the Annual Meeting of Council.”

MOTION WITHDRAWN

It was then proposed, seconded and AGREED that:

“The Chief Executives appoints Paul Cook as deputy Section 151 Officer and the appointment of Paul Cook as Section 151 Officer be agreed at the next meeting of Council.”

The General Purposes Committee then discussed the appointments process for permanent Director of Corporate Resources and S151 Officer and Monitoring Officer.

It was proposed by Councillor Bayford and seconded by Councillor Tomlinson and AGREED that:

“A Sub-Committee be created to appoint the permanent Director of Corporate Resources and S151 Officer and legal Services Manager and Monitoring Officer and that Sub-Committee consists of the Leader of the Labour Group, Leader of the Conservative Group and the Leader of the Largest Independent Group.”

59. APPOINTMENT OF THE INTERIM MONITORING OFFICER

The Interim Legal Services Manager answered a number of questions from Members of the Committee.

It was then proposed by Councillor Bayford and seconded by Councillor Wiltshire that:

The concerns raised in Harvey’s Patterson’s letter to the Members of the General Purposes Committee be fully considered and an appropriate report be brought back to General Purposes Committee to deal with any issues not addresses elsewhere.

Upon the motion being put to the vote (which was requested to be recorded):

Six Councillors voted for the motion (Councillors: Marson, Bayford, Tomlinson, Gregory, Grove and Wiltshire.)

Two Councillors voted against the motion (Councillors: Fenner and Poole)

One Councillor abstained (Councillor Everitt)

MOTION AGREED

Members then moved on to discuss the appointment of the Interim Monitoring Officer.

It was proposed by Councillor Fenner and seconded by Councillor Everitt that:

“Steven Boyle is appointed as interim Monitoring Officer with immediate effect and until the successful appointment of a permanent Legal Services Manager is made.”

Members further discussed the appointment of the Interim Monitoring Officer and the Chief Executive responded to questions from the Committee.

Councillor Fenner and Councillor Everitt then withdrew the motion.

Councillor Bayford then proposed and Councillor Tomlinson seconded and Members AGREED that:

“Steve Boyle is appointed as the Interim Monitoring Officer with immediate effect until either a permanent Legal Services Manager is appointed or the next meeting of Council.”

Meeting concluded : 7.57 pm