

**MINUTES  
COUNCIL**

**Wednesday 16 July 2014**

Present: Councillor Meredith Lawrence Councillor Tony Gillam  
Councillor Steve Ainley Councillor Mark Glover  
Councillor Pauline Allan Councillor Gary Gregory  
Councillor Roy Allan Councillor Cheryl Hewlett  
Councillor Bruce Andrews Councillor Sarah Hewson  
Councillor Patricia Andrews Councillor Mike Hope  
Councillor Emily Bailey Councillor Paul Hughes  
Councillor Peter Barnes Councillor Barbara Miller  
Councillor Sandra Barnes Councillor Richard Nicholson  
Councillor Chris Barnfather Councillor Marje Paling  
Councillor Denis Beeston MBE Councillor John Parr  
Councillor Alan Bexon Councillor Michael Payne  
Councillor Krista Blair Councillor Lynda Pearson  
Councillor John Boot Councillor Stephen Poole  
Councillor Nicki Brooks Councillor Suzanne Prew-Smith  
Councillor Bob Collis Councillor Darrell Pulk  
Councillor Ged Clarke Councillor Nick Quilty  
Councillor John Clarke Councillor Roland Spencer  
Councillor Jim Creamer Councillor Sarah Tomlinson  
Councillor David Ellis Councillor John Truscott  
Councillor Roxanne Ellis Councillor Muriel Weisz  
Councillor Andrew Ellwood Councillor Henry Wheeler  
Councillor Paul Feeney

Absent: Councillor Kathryn Fox, Councillor Phil McCauley,  
Councillor Carol Pepper and Councillor Colin Powell

**15 OPENING PRAYERS.**

Reverend Michael Taylor, Mayor's Chaplain, delivered the opening prayers.

**16 APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors Fox, McCauley, Pepper and Powell.

**17 MAYOR'S ANNOUNCEMENTS.**

The Mayor gave an overview of the engagements she had attended over the previous two months, which had included visits to school events, youth groups and older persons support organisations.

The Mayor also reported Civic hospitality provided at the Council, including a Civic reception for the Calverton and Vandoeuvre Twinning Associations to mark the 40 year anniversary of their association and a 'Tea with the Mayor' with a local champion Irish dancer.

**18 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETINGS HELD ON 9 APRIL AND 7 MAY 2014.**

**RESOLVED:**

- i) That the minutes of the meeting held on 9 April 2014, having been circulated, be approved as a correct record, subject to the following amendment: Minute 78 p. 8: 'Report of the Council Solicitor and Monitoring Officer' should read 'Report of the Service Manager, Elections and Members' Services'.
- ii) That the minutes of the meeting held on 7 May 2014, having been circulated, be approved as a correct record.

**19 DECLARATION OF INTERESTS.**

None received.

**20 TO ANSWER QUESTIONS ASKED BY THE PUBLIC UNDER STANDING ORDER 8.**

None received.

**21 TO ANSWER QUESTIONS ASKED BY MEMBERS OF THE COUNCIL UNDER STANDING ORDER 9.**

The Mayor invited questions from Members of the Council under Standing Order 9.

A question was put by Councillor Parr to the Leader of the Council in the following terms:

"It is pleasing to note that our recent collaboration agreement with Newark & Sherwood District Council and Rushcliffe Borough Council is moving towards greater joint procurement between the three authorities. Clearly with the financial constraints placed on all authorities at this time it is imperative that we maximise the potential savings that joint procurement may offer. Could the Leader of the Council, with his Finance Portfolio in mind, report to the Council on the following:

1. Is there a breakdown of procurement costs readily available to Members for 2013/2014?
2. Is there a single lead member and Senior officer responsible for procurement issues?
3. How are Members generally involved in reviewing and scrutinising procurement?"

The Leader provided the following response, which had been circulated at the meeting:

**Is there a breakdown of procurement costs readily available to Members for 2013-14?**

There is a joint procurement arrangement between Gedling Borough Council and Rushcliffe Borough Council, whereby the Procurement Officer is employed over 4 days and shared equally between the two authorities.

The cost to GBC of this arrangement for 2013-14 was £21,074.08, which includes salary, pension and NI costs and also subscription fees for European Procurement Advice (2012-13 costs were £21,020.06). These costs are identified and reviewed each year as part of the annual budget processes of the Council.

**Is there a single lead member and Senior officer responsible for procurement issues?**

Member responsibility rests with the Leader under the Finance portfolio. Officer responsibility rests with Vince Rimmington: Service Manager Audit & Asset Management for corporate overview and advice as well as taking forward any strategic procurement activities including joint working proposals.

Individual Service managers have direct responsibility for procurement in their specific management areas; when undertaking procurement activity the Council has a series of rules, regulations and guidance for Managers to follow in order to ensure value for money is achieved.

**How are Members generally involved in reviewing and scrutinising procurement?**

Members themselves agree the rules for procurement and these are contained in both the 'Contract Standing Orders' and 'Financial Regulations' which form part of the overall constitution of the Council. In addition Member's periodically agree the details of the Council's Procurement Strategy.

Initially where the council undertakes a significant procurement exercise the initial method of tender is agree by the Executive.

Where formal tenders are received (usually in excess of £50,000), the relevant cabinet Member (portfolio Holder) and the Chairman of the Overview and Scrutiny Committee receive notification of the time and place appointed for the tender opening. NB: Any member of the Council who wishes to attend may also attend.

Where a tender is within budgetary provision previously approved by the Council, this may be accepted on the basis of lowest cost (or highest income) by the relevant Corporate Director.

Tenders not within budgetary provision are referred to Cabinet for approval.

A tender other than the lowest cost can only be accepted by authority of the appropriate Cabinet Member.

Where it is considered that procurement is carried out that is not in accordance with the Contract Standing Orders then a waiver is sought before a procurement exercise can be carried out. Waivers to standing orders can only be agreed by a decision of full council.

On an ongoing basis procurement issues may be discussed by Service Managers/Directors at departmental level with relevant portfolio holders as part of their regular operational briefings. In addition scrutiny committee may review this activity and the Overview and Scrutiny Committee considered an update from Mark Kimberley regarding the Procurement Strategy on 7<sup>th</sup> October 2013. The minutes of the meeting concerning the questions raised and responses given are attached to this note.

## **Extract from Overview and Scrutiny Committee – 7 October 2013**

### **Minutes:**

The Chair welcomed Mark Kimberley, Corporate Director, who, in the absence of Councillor J Clarke, responded to questions from Members on the following elements of the Leader's Portfolio:

- The Council's procurement strategy
- Co - location arrangements with partners

### **Questions from Members and responses received:**

#### **1. How successfully are we contracting with local suppliers?**

Members were informed that whilst the Council is not empowered through its Standing Orders to target local suppliers, it does have a duty to achieve best value. The benefit to local suppliers is assured through on-going performance monitoring, which gives specific weighting to the payment of local suppliers within 10 days of receipt of invoice.

Details of performance monitoring data circulated to Members demonstrated that around 42% of the Council's suppliers are local and a 10 day payment rate of 96.21% is achieved. A survey recently undertaken using the creditors system indicated a 99.1% satisfaction rate.

The Corporate Director explained that larger contracts are likely to be with national/multi-national organisations.

#### **2. Are we still sharing a procurement officer post with Rushcliffe, and does the role bring savings to the Council?**

The Corporate Director confirmed that the shared service arrangement is still in place and that the role is predominantly concerned with ensuring our compliance with Standing Orders and EU regulations and completion of returns to National Government. Additionally the officer has an advisory role on cost saving framework agreements, such as the national mobile phone agreement.

The Corporate director further explained that any targeting of local suppliers would depend on the thresholds reached by the contract as set out in the Council's Standing Orders – for contracts under 10k, it had been custom and practice to obtain 3 local quotes, whereas for contracts over 50k the Council is required to advertise nationally. For contracts of over 130k full compliance with EU regulations would be required.

#### **3. Would we target a local supplier in cases where an area of work is likely to attract a local supplier?**

Members were informed that EU regulations differentiate between works contracts of 3/4m in value and service contracts of 130k in value. The Council's Contract Standing Orders do not specify, which in practice means that building contract works are taken through quite a complex route. Members were informed that whilst there are no current plans to re-examine this situation, there is potential scope to do so in future.

**22 REFERRAL FROM CABINET: COUNCIL PLAN AND BUDGET OUTTURN AND BUDGET CARRY FORWARDS 2013/14**

Consideration was given to a report of the Senior Leadership Team which had been referred to Council by the Cabinet meeting on 19 June 2014. The report presented the Council Plan and Budget Outturn 2013/14.

**RESOLVED to approve:**

- 1) The revenue carry forward of £20,000 for the non-committed scheme in excess of £10,000;
- 2) The capital carry forward of £301,700 for non-committed schemes in excess of £50,000;
- 3) The overall method of financing of the 2013/14 capital expenditure as set out in Appendix 7 of the report;
- 4) The capital determinations in Section 3.4 of the report.

**23 REFERRAL FROM CABINET: ANNUAL TREASURY ACTIVITY REPORT**

Consideration was given to a report of the Corporate Director which had been referred to Council by the Cabinet meeting on 19 June 2014. The report informed Members of the outturn in respect of the 2013/14 Prudential Code Indicators.

**RESOLVED:**

To approve the Annual Treasury Activity Report 2013/14 together with the appendices.

**24 NON-ATTENDANCE BY A COUNCILLOR FOR SIX MONTHS**

Consideration was given to a report of the Service Manager, Elections and Members' Services requesting that Council consider whether to approve a reason for non – attendance of Councillor K. Fox.

**RESOLVED:**

To accept the illness of a close family member as the reason for non-attendance of Councillor Fox to avoid forfeiture of office.

## **25 CHANGES TO OUTSIDE BODY APPOINTMENTS**

Consideration was given to a report of the Service Manager, Elections and Members' Services, requesting that Council considers the replacement of Councillor Jenny Hollingsworth with Councillor Henry Wheeler as the Council's representative on the Nottinghamshire Health and Wellbeing Board.

The report additionally requested that Council considers appointing Councillor Marje Paling as the Council's representative on the Parking and Traffic Regulations Outside London body.

### **RESOLVED:**

- i. That Councillor Jenny Hollingsworth is replaced by Councillor Henry Wheeler as the Council's representative on the Nottinghamshire Health and Wellbeing Board; and
- ii. That Councillor Marje Paling is appointed to be the Council's representative on the Parking and Traffic Regulations Outside London body.

## **26 PROPOSED AMENDMENT TO THE CONSTITUTION: SUBSTITUTIONS AT COMMITTEES.**

Consideration was given to a report of the Service Manager, Elections and Members Services, seeking approval for an amendment to the Constitution which would permit substitutions at some Committees and Sub – Committees.

The Mayor drew Members' attention to the fact that at the Council meeting on 9 April 2014, the recommendation was moved and seconded and deferred without debate. When moving the recommendation two minor changes to the wording of the Standing Order set out in the report were made.

The Mayor put the motion as proposed on the 9 April, and circulated at this meeting.

Councillor J. Clarke, seconded by Councillor Barnfather, proposed an amendment in the following terms:

- i. In paragraph 31.1 of the proposed new Standing Order, to remove the final sentence.
- ii. In paragraph 31.2 of the proposed new Standing Order, to insert the following text immediately before the final sentence: 'The

attendance of the substitute shall be notified in writing to the Chief Executive no later than 5pm on the day before the meeting.'

The mover of the substantive Motion (Councillor David Ellis) accepted the amendment. Following a debate, Council voted and the amended Motion was adopted as follows:

**RESOLVED:**

- i. the Council approves the adoption of the Standing Order allowing substitutions to be made at Committees and Sub Committees of the Council as moved at the Council meeting on 9 April 2014 in accordance with new Standing Order 31; and
- ii. the Council Solicitor and Monitoring Officer is authorised to make the appropriate amendments to the Constitution to incorporate the Standing Order.

**27 APPOINTMENT OF SUBSTITUTE MEMBERS TO COMMITTEES**

Consideration was given to a report of the Service Manager, Elections and Members' Services, which provided political groups with the opportunity to nominate substitute members so that Council can formally appoint those substitute members.

A list of nominated substitutes had been circulated at the meeting.

**RESOLVED:**

To appoint the Members nominated by each political group as set out in Appendix 1 to these minutes to act as substitute members at ordinary committees and sub-committees of the Council.

**28 TO RECEIVE QUESTIONS AND COMMENTS FROM MEMBERS CONCERNING ANY MATTER DEALT WITH BY THE EXECUTIVE OR BY A COMMITTEE OR SUB-COMMITTEE (STANDING ORDER 11.1).**

In accordance with Standing Order 11.1, a number of comments were made and responded to by the appropriate Cabinet Member or Committee Chair.

**29 TO CONSIDER COMMENTS, OF WHICH DUE NOTICE HAS BEEN GIVEN, UNDER STANDING ORDER 11.03(A).**

None received.

The meeting finished at 6.40 pm



Signed by Chair:  
Date: