

ROYAL BOROUGH OF KINGSTON UPON THAMES

EXTRAORDINARY MEETING OF THE COUNCIL

19 MAY 2020

(7:30 pm - 9:15 pm)

The Mayor (Councillor Margaret Thompson)
The Deputy Mayor (Councillor Sushila Abraham)

Councillors

Zain Abbas	Lesley Heap
Stephanie Archer	Alison Holt
Roy Arora	Jason Hughes
Kim Bailey	Caroline Kerr
* Tricia Bamford	Andreas Kirsch
Rowena Bass	Katrina Lidbetter
Mark Beynon	Rebekah Moll
Fiona Boulton	Maria Netley
Olivia Boulton	Munir Ravalia
Tim Cobbett	Dave Ryder-Mills
David Cunningham	Anita Schaper
Emily Davey	Malcolm Self
Kevin Davis	Nicola Sheppard
Lorraine Dunstone	Chris Stuart
Mark Durrant	Sharron Falchikov-Sumner
Simon Edwards	John Sweeney
Sam Foulder-Hughes	Thay Thayalan
Ed Fram	Jon Tolley
Hilary Gander	Olly Wehring
Ian George	Diane White
Dennis Goodship	Annette Wookey
Liz Green	Yogan Yoganathan
Jason Hughes	Sharon Young

* Absent

1. Apologies

Apologies for absence were received on behalf of Councillor Patricia Bamford.

2. Declarations of Interest

There were no declarations of interest.

3. Minutes

RESOLVED that the minutes of the Budget Council meeting held on 27 February 2020 be confirmed as a correct record.

4. Mayor's Announcements

Reverend Peter Holmes

The Mayor and the Leader of the Council had attended the funeral of Reverend Peter Holmes, who had served as vicar of St Peter's Church, Norbiton, for 27 years, and who had sadly died from Covid-19 in April. Among many tributes to Reverend Holmes, who founded the Joel Community shelter for the homeless, Kingston Churches for Action against Homelessness has said 'Peter devoted his life to God's work and was a passionately committed voice for the most vulnerable in our community, particularly those experiencing homelessness...Peter was an influencer and a true champion of kindness and caring.'

The Mayor expressed the Council's condolences to Reverend Holmes' family and to the families of all those in the borough who had lost a loved one during the Covid-19 pandemic.

Councillor David Cunningham

The Mayor congratulated Councillor David Cunningham on the 30th anniversary of his election as a councillor. In his long and distinguished service on the Council, Councillor Cunningham had served the Borough as Mayor in 1998/9, been an active Ward councillor for Tudor Ward, served as a Cabinet member and Chair of a number of committees, and had represented the borough on a range of external committees and bodies.

Jean Cousens

On behalf of the Council the Mayor thanked Jean Cousens of the Democratic Services Team for her long and exemplary service. Jean, who was due to retire at the end of May, had for many years ensured the efficient management of meetings of the Council and many of its Committees.

5. Decision-Making Arrangements during the Covid-19 Pandemic Appendix A

The Council considered a report included at Appendix A of the agenda which set out the options for the operation of decision making arrangements, including virtual Council and Committee meetings, during the ongoing Covid-19 emergency.

The Covid-19 pandemic has required the Council to rapidly refocus its resources to prioritise support to local health and care services, vulnerable residents and local businesses. It had also presented unprecedented challenges in the operation of the normal decision-making process, as social distancing rules and the requirement to stay at home initially made the transaction of business through Committee meetings impossible. At the outset of the Covid-19 pandemic, the Council had therefore taken the exceptional step of temporarily cancelling its formal committee meetings in the interests of public safety. This ensured that the Council was well placed to comply with subsequent guidance from the Government on social distancing, and the instructions for people to stay safe in their homes. The transaction of all non-urgent business had been postponed, and urgency decision-making mechanisms within the

Council's Constitution had enabled the Chief Executive and Executive Directors to take urgent decisions in consultation with specified Members; public notice had been given of those decisions taken.

However, in the interests of transparency and democratic accountability, the Council considered it essential to re-introduce collective decision-making by Members in Committee as soon as safe and practicable to do so. While the ongoing emergency prevented public gatherings, the Government had brought in new Regulations with effect from 4 April 2020 (applying until May 2021) to enable Council and committee meetings for the first time to be held in virtual form.

The report proposed a streamlined schedule of virtual Committee meetings to enable the Council to focus staffing and management resources on the delivery of critical frontline services and its support to the local community during the Covid-19 pandemic, while maintaining the appropriate levels of democratic accountability and transparency in decision-making. The interim arrangements will be reviewed by Council at its meeting in October.

The arrangements include the immediate resumption of regulatory Committees dealing with planning and licensing applications and the establishment of a temporary Response and Recovery Committee, meeting on a monthly basis to exercise all the functions of the five Strategic Committees for decisions which cannot wait until the resumption of normal business. The Committee will also receive reports and updates on the Council's Covid-19 response.

A correction to Annex 3 of the report (the proportionality calculations) was circulated prior to the meeting to amend the reference from 1 Independent Member to 1 'Green' Member.

- (1) An amendment from the Conservative Group on the Council to the recommendations of the report, which had been circulated prior to the meeting, was proposed by Councillor Kevin Davis and seconded by Councillor Rowena Bass, as follows:

'To delete the recommendations set out on the agenda and replace with:

'To RESOLVE that:

1. *a Response & Recovery Committee consisting of 11 Members be established to exercise all functions currently delegated to Strategic Committees (with the exception of the delegation to the Finance and Partnerships Committee) and to receive briefings and updates on the Council's Covid-19 response for the period until the next meeting of Council on 7 July 2020 at which point the Council can decide to rescind or continue these arrangements;*
2. *the Finance and Partnerships Committee, the Health and Wellbeing Board and the Health Overview Panel meet in the period to the next meeting of Full Council;*
3. *the revised calendar of meetings for the period to 12 October 2020 attached at Annex 1 be adopted until the Full Council meeting of the 7 July 2020, with the addition of dates (the selection of which is delegated to the Monitoring Officer) for those committees set out at paragraph 2 not already*

timetabled and the expectation of a further revision to the timetable at the meeting of Full Council on 7 July 2020; and

4. *the guidance for Members participating in virtual Committee and Council meetings set out at Annex 2 be noted.'*

'Reasons for the amendment:

The Coronavirus crisis is a fast changing period in our history. Because of this, the proposer and seconder of this motion believe council business set out in this agenda are already out of date as we start to lift the restrictions created by Covid19. Many other councils, including that of our near neighbours, are holding Annual Councils and conducting "business as usual" as much as possible. The council governance needs to be agile during this period and not making changes that are appropriate to what is already past, but what we are doing today and will need tomorrow. This amendment seeks not to criticise the administration but to accept that we are in a different time and any changes we make should acknowledge this.

The decision making processes set out on the agenda should not be desirable to any democracy and we should not therefore be embedding them into the functioning of this Council for a period of 5 months. These arrangements should instead be reviewed for their continuance at every future Full Council meeting until the crisis passes and only be extended from Council meeting to Council meeting.

The Response and Recovery Committee is a decision making committee to make all the decisions of the Council - much like a cross-party Cabinet model. However, Cabinet model decisions should not be taken without effective scrutiny and an examination of the metrics around the COVID-19 crisis and the Council's performance. There are two main issues facing the Council during this crisis; the health of the community as we unlock and the finances of the council in the recovery period. It is therefore imperative that these two areas continue to be properly scrutinised by Councillors and for this reason we believe it appropriate for the Finance and Partnerships Committee, the Health and Wellbeing Board and the Health Overview Panel to continue to meet - although it is also our belief that in the case of health this might be best addressed by the chairs of both HWB and HOP convening a joint meeting or seminar should a joint committee "meeting" not be permissible in law.'

- (2) After debate, the above amendment was put to the vote and was declared defeated –

Voting:

For: 10 members of the Council (Councillors Roy Arora, Rowena Bass, David Cunningham, Kevin Davis, Sharron Falchikov-Sumner, Ed Fram, Ian George, Jason Hughes, Maria Netley and Nicola Sheppard).

Against: 37 Members of the Council (The Mayor, Councillor Margaret Thompson, the Deputy Mayor, Councillor Sushila Abraham, and Councillors Zain Abbas, Stephanie Archer, Kim Bailey, Mark Beynon, Fiona Boulton, Olivia Boulton, Tim Cobbett, Emily Davey, Lorraine Dunstone, Mark Durrant, Simon Edwards, Sam Foulder-Hughes, Hilary Gander, Dennis Goodship, Liz Green,

Jaesung Ha, Lesley Heap, Alison Holt, Caroline Kerr, Andreas Kirsch, Katrina Lidbetter, Rebekah Moll, Munir Ravalia, Dave Ryder-Mills, Anita Schaper, Malcolm Self, Christine Stuart, John Sweeney, Thay Thayalan, Jon Tolley, Olly Wehring, Diane White, Annette Wookey, Yogan Yoganathan and Sharon Young.)

- (3) After further debate, the recommendations set out in the report at Appendix A to the agenda were put to the meeting, and it was:

Resolved that:

1. a Response and Recovery Committee consisting of 11 Members be established to exercise all functions currently delegated to Strategic Committees and to receive briefings and updates on the Council's Covid-19 response for the period until 12 October 2020;
2. the revised calendar of meetings for the period to 12 October 2020 attached at Annex 1 of the report be adopted;
3. the guidance for Members participating in virtual Committee and Council meetings set out at Annex 2 of the report be noted; and
4. consideration be given to the need for any further interim decision-making arrangements at the meeting of Council on 13 October 2020.

Voting:

For: 37 Members of the Council (The Mayor, Councillor Margaret Thompson, the Deputy Mayor, Councillor Sushila Abraham, and Councillors Zain Abbas, Stephanie Archer, Kim Bailey, Mark Beynon, Fiona Boulton, Olivia Boulton, Tim Cobbett, Emily Davey, Lorraine Dunstone, Mark Durrant, Simon Edwards, Sam Foulder-Hughes, Hilary Gander, Dennis Goodship, Liz Green, Jaesung Ha, Lesley Heap, Alison Holt, Caroline Kerr, Andreas Kirsch, Katrina Lidbetter, Rebekah Moll, Munir Ravalia, Dave Ryder-Mills, Anita Schaper, Malcolm Self, Christine Stuart, John Sweeney, Thay Thayalan, Jon Tolley, Olly Wehring, Diane White, Annette Wookey, Yogan Yoganathan and Sharon Young.)

Abstaining: 10 members of the Council (Councillors Roy Arora, Rowena Bass, David Cunningham, Kevin Davis, Sharron Falchikov-Sumner, Ed Fram, Ian George, Jason Hughes, Maria Netley and Nicola Sheppard).

6. Mayoral Arrangements for the 2020/21 Municipal Year

As set out in the report at Appendix A of the agenda (refer Minute 5 above), central Government had lifted the statutory requirement on local authorities to hold an Annual Meeting of the Council for 2020. The Council was advised, therefore, that there would be no Annual Meeting of the Council in 2020.

In these circumstances, and in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020, the Council noted that Councillor Margaret Thompson will remain in office as Mayor until the Annual Meeting in May 2021 or until the Council determines otherwise, whichever is the earlier.

7. Appointment of Deputy Mayor and Deputy Mayor's Escort

The Council noted that, in accordance with S5(1) of Schedule 2 of the Local Government Act 1972, the Mayor, Councillor Margaret Thompson, had appointed Councillor Sushila Abraham to serve as Deputy Mayor for the remainder of her Mayoralty, succeeding Councillor Munir Ravalia with effect from 4 May 2020.

Councillor Munir Ravalia was thanked for serving as Deputy Mayor in 2019/20.

Councillor Abraham had appointed Dr Mathew Abraham as her Escort.

At its meeting in April 2021, Council will be invited to elect Councillor Abraham as Mayor for the 2021/22 Municipal Year.

8. Appointments of Members to Committees, Panels and other bodies Appendix B

In accordance with the Regulations referred to in Minute item 5 above, the appointments to Committees, Panels and other bodies which were agreed at the Annual Council meeting on 14 May 2019, and any changes made by the Council since then during the 2019/20 municipal year, continue to have effect until May 2021 or until the Council determines otherwise, whichever is the earlier.

Nominations for appointment to the new Response and Recovery Committee (the constitution of which, as set out in Appendix A of the agenda, reflected the party political proportionality of the Council), together with a few changes to memberships of other committees and bodies, were set out in a report at Appendix B to the agenda.

Members across the Council thanked Councillor Liz Green for her dedicated service to the Council as Leader of the Council since 2018 and previously as Leader of the Opposition since 2013.

Resolved that the following appointments and changes to appointments to committees and other bodies be approved:

(i) Response and Recovery Committee (11 members)

Political Group		Members	Substitute members
1.	LD	Caroline Kerr (Chair)	Zain Abbas, Sushila Abraham, Steph Archer, Tricia Bamford, Mark Beynon, Fiona Boulton, Olivia Boulton, Lorraine Dunstone, Mark Durrant, Simon Edwards, Sam Foulde-Hughes, Dennis Goodship, Liz Green, Jaesung Ha, Lesley Heap, Andreas Kirsch, Katrina Lidbetter,
2.	LD	Malcolm Self (Vice Chair)	
3.	LD	Kim Bailey	
4.	LD	Tim Cobbett	
5.	LD	Emily Davey	
6.	LD	Hilary Gander	
7.	LD	Alison Holt	

8.	LD	Rebekah Moll	Munir Ravalia, David Ryder-Mills, Anita Schaper, Chris Stuart, John Sweeney, Thay Thayalan, Margaret Thompson, Jon Tolley, Olly Wehring, Annette Wookey, Yogan Yoganathan, Sharon Young
9.	LD	Diane White	
10.	CON	Kevin Davis	Roy Arora, David Cunningham, Ed Fram, Ian George, Maria Netley, Nicola Sheppard, Jason Hughes.
11.	CON	Rowena Bass	

- (ii) Councillor Caroline Kerr to be appointed as Co-Chair (replacing Councillor Liz Green) on the:
- Finance and Partnerships Committee
 - Environment and Sustainable Transport Committee and
 - Health and Wellbeing Board.
- (iii) Councillor Caroline Kerr to be appointed as a member (replacing Councillor Liz Green) on the:
- Senior Staff Panel
 - AfC Joint Committee
 - Joint Appointments Committee (for the Director of Children’s Services role)
 - South London Partnership
 - Safer Kingston Partnership, and
 - (as the second non voting Member) on the South London Waste Partnership.

Voting:

For: 45 Members of the Council (The Mayor, Councillor Margaret Thompson, the Deputy Mayor, Councillor Sushila Abraham, and Councillors Zain Abbas, Roy Arora, Stephanie Archer, Kim Bailey, Rowena Bass, Mark Beynon, Fiona Boulton, Olivia Boulton, Tim Cobbett, David Cunningham, Emily Davey, Kevin Davis, Lorraine Dunstone, Mark Durrant, Simon Edwards, Sam Foulder-Hughes, Ed Fram, Hilary Gander, Ian George, Dennis Goodship, Liz Green, Jaesung Ha, Lesley Heap, Alison Holt, Jason Hughes, Caroline Kerr, Andreas Kirsch, Rebekah Moll, Maria Netley, Munir Ravalia, Dave Ryder-Mills, Anita Schaper, Malcolm Self, Nicola Sheppard Christine Stuart, John Sweeney, Thay Thayalan, Jon Tolley, Olly Wehring, Diane White, Annette Wookey, Yogan Yoganathan and Sharon Young.)

Against: Councillor Sharron Falchikov-Sumner

9. Appointment of non-elected members to Committees and Panels

In accordance with the Regulations referred to in Minute item 5 above, the appointments of non-elected members to Committees, Panels and other bodies which were agreed at the Annual Council meeting on 14 May 2019, and any

changes made by the Council since then during the 2019/20 municipal year, continue to have effect until May 2021 or until the Council determines otherwise, whichever is the earlier.

Resolved that the following changes to the above appointments of non-elected members to Committees and Panels be approved:

- Health and Wellbeing Board:
(a) Dr Amira Girgis (Deputy Medical Director) replacing Jane Wilson as the advisory member on the Board representing Kingston Hospital Trust, until a Medical Director is appointed.
(b) Vanessa Ford as one of two alternates (along with Dr Martin Humphrey) for Dr Charlotte Harrison, the advisory member on the Board representing SW London & St George's Mental Health Trust.
- Children's and Adults' Care & Education Committee: the Clinical Commissioning Group (CCG) representation on the Committee be reduced from two to one GP advisory members, at the request of the CCG.

Voting – unanimous

10. Appointment of Members to London Councils Committees and other London bodies for the 2020/21 municipal year Appendix C

In accordance with the Regulations referred to in Minute item 5 above, the appointments to London Councils Committees and other bodies which were agreed at the Annual Council meeting on 14 May 2019, and any changes made by the Council since then during the 2019/20 municipal year, continue to have effect until May 2021 or until the Council determines otherwise, whichever is the earlier.

A report at Appendix C of the agenda set out a few proposed changes to these appointments.

Resolved that the following changes to appointments to London Councils Committees and other London bodies for the 2020/21 municipal year be approved:

London CIV (London LG Pension Scheme Common Investment Vehicle Ltd) 1 member (usually Pension Fund Panel Chair) and 2 deputies Every London CIV Shareholder (each London Local Authority) is required to appoint a representative <i>two general meetings annually: one to approve the annual budget in the context of the medium-term financial strategy (usually in Jan.), the other is the AGM (usually in July).</i>	LD - Mark Beynon (member) Deputy 1 – Alison Holt Deputy 2 – Dennis Goodship
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Councillor Caroline Kerr to be appointed to the following positions (in place of Councillor Liz Green):

London Councils Committees	Liberal Democrat
Annual General Meeting 2020: – deferred to October 2020 (only one representative permitted to vote)	1) LD – Caroline Kerr (voting) 2)
Voting Representative (from above)	LD - Caroline Kerr
Leaders’ Committee (S101 Joint Committee): 1 voting member	LD - Caroline Kerr (member)
London Councils Limited 1 voting member (usually the representative on the Leader’s Committee)	LD - Caroline Kerr
London Health and Wellbeing Board Chairs Network	LD - Caroline Kerr
Policy area borough leads • Crime and Public Protection	Caroline Kerr

Notes:* the Annual General Meeting of London Councils Leaders’ Committee has been deferred until October

Voting - unanimous

11. Urgent Items authorised by the Mayor

There was no urgent business authorised by the Mayor.

The Mayor thanked all Members of the Council for the respectful and constructive manner in which they had conducted business at this, the first virtual meeting of the full Council of the Royal Borough, which had assisted the meeting to proceed effectively.

Signed:.....Date:
The Mayor