



SPECIAL COUNCIL

MINUTES OF THE MEETING HELD VIA MICROSOFT TEAMS ON THURSDAY, 18TH MARCH 2021 AT 5.00PM

PRESENT:

Councillor C. Andrews - Mayor
Councillor J. Gale - Deputy Mayor

Councillors:

M. Adams, E.M. Aldworth, A. Angel, P. Bevan, C. Bezzina, L. Binding, A. Collis, S. Cook, C. Cuss, W. David, M. Davies, T. Davies, N. Dix, C. Elsbury, K. Etheridge, M. Evans, A. Farina-Childs, C. Forehead, J. Fussell, A. Gair, N. George, C. Gordon, R. Gough, L. Harding, D. Havard, A. Higgs, A. Hussey, V. James, L. Jeremiah, G. Johnston, B. Jones, S. Kent, G. Kirby, A. Leonard, P. Leonard, C. Mann, P. Marsden, B. Miles, S. Morgan, B. Owen, T. Parry, L. Phipps, D. Poole, D. Preece, D. Price, J. Pritchard, J. Ridgewell, R. Saralis, M.E. Sargent, J. Simmonds, G. Simmonds, S. Skivens, E. Stenner, J. Taylor, C. Thomas, A. Whitcombe, R. Whiting, L. Whittle, T. Williams, W. Williams, B. Zaplatynski.

Together with:-

C. Harrhy (Chief Executive), D. Street (Corporate Director Social Services), R. Tranter (Head of Legal Services and Monitoring Officer), S. Harris (Head of Financial Services and Section 151 Officer), L. Donovan (Head of People Services) and E. Sullivan (Senior Committee Services Officer).

Also Present: -

S. Issacs (Eversheds Sutherland)

WEB-CASTING FILMING AND VOTING ARRANGEMENTS

The Chief Executive reminded those present that the meeting was being filmed, except for discussions involving confidential or exempt items but would not be live streamed, however a recording would be available following the meeting via the Council's website – [Click Here to View](#). She advised that decisions would be made by Microsoft Forms.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J. Bevan, D. Hardacre, D. Harse and G. Oliver and M.S. Williams (Interim Corporate Director Communities) and R. Edmunds (Corporate Director Education and Corporate Services).

Councillors P. Bevan and S. Kent advised that due to previous commitments they would be

leaving the meeting early therefore depending on the length of debate they might not be present for the vote on Agenda Item No. 4.

2. DECLARATIONS OF INTEREST

Councillor D. Poole declared a personal and prejudicial interest in relation to Agenda Item no. 4 – Employment Tribunal Claim of the Former Chief Executive - as he had given evidence to the Designated Independent Person as part of the internal investigation process.

Councillor W. David declared a person and prejudicial interest in relation to Agenda Item No 4 – Employment Tribunal Claim of the Former Chief Executive on the basis that the former Chief Executive made a complaint against him to the Public Services Ombudsman for Wales in December 2019, which caused Councillor David great upset. The complaint was declined and not investigated but Councillor David felt that as a result he was prejudiced against Mr O’Sullivan and would leave the meeting at this point.

Advice was also provided to Councillors L. Binding, J.E. Fussell and M. James but no further declarations of interest were made.

3. PUBLIC INTEREST TEST

Members considered the public interest test certificate from the Proper Officer and concluded that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information. By way of Microsoft Forms and verbal confirmation and in noting there were 53 for, 9 against and 4 abstentions this was agreed by the majority present.

RESOLVED that in accordance with Section 100A(4) of the Local Government Act 1972 the public be excluded from the remainder of the meeting because of the likely disclosure to them of exempt information as identified in paragraphs 12, 14, 15 and 16 of Part 4 of Schedule 12A of the Local Government Act 1972.

Having accepted the Public Interest Test the recording of the meeting was stopped and Council moved into exempt session.

4. EXEMPT MATTER - EMPLOYMENT TRIBUNAL CLAIM OF THE FORMER CHIEF EXECUTIVE

Councillor D. Poole having declared a personal and prejudicial interest left the meeting.

Councillor W. David had already left the meeting having declared personal and prejudicial interest at Agenda Item No. 2.

Having fully considered the report and advice as presented it was moved and seconded that Option 3.2 of the Officer’s Report be approved.

In accordance with Rule of Procedure 15.4 (1) a request was made for a recorded vote.

It was noted that Councillor P. Bevan and Councillor S. Kent were not present when the matter was put to the vote due to previous commitments.

FOR THE MOTION

Councillors: M. Adams, C. Andrews, A. Collis, S. Cook, C. Cuss, D.T. Davies, K. Dawson, M. Evans, C. Forehead, E. Forehead, J. Gale, N. George, C. Gordon, L. Harding, D. Havard, A.

Higgs, A. Hussey, V. James, L. Jeremiah, B. Jones, G. Kirby, P. Leonard, P. Marsden, B. Miles, S. Morgan, L. Phipps, D. Preece, D. Price, J. Ridgewell, R. Saralis, J. Simmonds, E. Stenner, A. Whitcombe, R. Whiting, T. Williams, W. Williams, B. Zaplatynski (37)

AGAINST THE MOTION

Councillors: E.M. Aldworth, A. Angel, C. Bezzina, L. Binding, N. Dix, C. Elsbury, K. Etheridge, A. Farina-Childs, A. Gair, M. James, G. Johnston, A. Leonard, B. Owen, T. Parry, J. Pritchard, J. Roberts, M.E. Sargent, J. Scriven, G. Simmonds, C. Thomas, L. Whittle (21)

ABSTENTIONS

Councillors: D. Cushing, M. Davies, J.E. Fussell, R. Gough, C.P. Mann, S. Skivens, J. Taylor (7)

The MOTION was declared carried.

RESOLVED that the Employment Tribunal Claim of the Former Chief Executive be settled and the total cost of £120,700 be funded from the 2020/21 projected revenue budget underspend for the Directorate of Corporate Services.

The meeting closed at 7.00pm

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 13th April 2021 they were signed by the Mayor.

MAYOR