



# COUNCIL

## — MINUTES —

(ORDINARY COUNCIL MEETING)

WEDNESDAY 24 SEPTEMBER 2003



PRESENT:

The Mayor (Councillor Charlie Treloggan)  
The Deputy Mayor (Councillor Mercy Umeh)

Councillors:

Mike Adam  
Colin Aherne  
Emile Al-Uzaizi  
Mrs Adronie Alford  
Chris Allen  
Will Bethell  
Brendan Bird  
Min Birdsey  
Nick Botterill  
Charlie Boyle  
Stephen Burke  
Michael Cartwright

Siobhan Coughlan  
Steve Cowan  
Huw Davies  
Sian Dawson  
Gavin Donovan  
Fiona Evans  
Ivan Gibbons  
Greg Hands  
Wesley Harcourt  
Andrew Jones  
Ghassan Karian  
Alex Karmel

Amanda Lloyd-Harris  
Mark Loveday  
Reg McLaughlin  
Charlie Napier  
Jolyon Neubert  
Andrew Slaughter  
Melanie Smallman  
Frances Stainton  
Tim Stanley  
Dr. Jenny Vaughan  
David Williams

## **23. MINUTES – 2 JULY 2003**

7.01pm - The minutes of the Ordinary Council Meeting held on 2 July 2003 were confirmed and signed as an accurate record, subject to the following amendment:

Item 21 -Special Motion No.3 – Sport & Leisure Facilities in the Borough – delete all words after “withdrawn” recorded in the minute.

## **24. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Church, Donald, Graham, Greenhalgh, Lillis, Pavelin, Powell, and Wicks .

(Councillors Allen, Coughlan, Dawson, Gibbons, Karian and Khaled apologised for lateness)

## **25. MAYOR & MANAGING DIRECTOR’S ANNOUNCEMENTS (IF ANY)**

The Mayor’s Announcements were circulated to all Councillors and in the Chamber. (Copy attached as **APPENDIX 1** to these Minutes).

The Mayor drew members’ attention to the sad death on 15 August of former Councillor Mr. Will Unwin, and asked the Council to stand for one minute’s silence in his memory.

The Mayor also reminded members, following advice received from the Standards Board for England (as previously circulated), that all Councillors must declare a personal interest in item 6.3 – Councillors’ Scheme of Allowances - on the agenda for this meeting of the Council.

## **26. DECLARATIONS OF INTERESTS**

Noted the declarations of personal interest made by all Councillors present at this meeting of the Council (see attendance sheet) on agenda item 6.3 – Councillors’ Scheme of Allowances – as beneficiaries of the Scheme. Councillors remained at the meeting and spoke and voted on the item.

## **27. PUBLIC QUESTION TIME**

The Mayor called those Public Questioners who had submitted questions for this meeting of the Council (as published in the Council Agenda) to ask their question:

1. Mr. Jon Burden, of 82a Minford Gardens W14 – question to the Leader of the Council.

(The full text of the question and the reply given is attached at **APPENDIX 2** to these minutes.)

## 28. ITEMS FOR DECISION / COMMITTEE REPORTS (IF ANY)

### 7.13 pm - Treasury Management Outturn Report

The report and recommendation was moved for adoption by the Leader (Councillor Andrew Slaughter), seconded by Councillor Cartwright.

Speeches on the report were made by Councillor Hands (for the Opposition), with Councillor Slaughter responding (for the Administration).

The report and recommendation was put to the vote. (On a request for names to be recorded, a roll-call vote was taken for this item):

FOR - 19

(Councillors Aherne, Bird, Birdsey, Burke, Cartwright, Cowan, Davies, Evans, Harcourt, Jones, McLaughlin, Napier, Slaughter, Smallman, Stanley, Treloggan, Umeh, Vaughan, Williams)

AGAINST - 13

(Councillors Adam, Al-Uzaizi, Alford, Bethell, Botterill, Boyle, Donovan, Hands, Karmel, Lloyd-Harris, Loveday, Neubert, Stainton)

ABSTENTIONS - 0

The report and recommendation was declared **CARRIED**.

### 7.25pm – **RESOLVED** –

That the Treasury Management Outturn Report for the financial year ending 31 March 2003 be noted and approved.

### 7.26pm – **Final Accounts 2001 / 02 and 2002 / 03**

Noted the comments of the Leadership Scrutiny Panel meeting on 23 September tabled at the Council meeting. (Copy attached as **APPENDIX 3** to these Minutes)

The report and recommendations were moved for adoption by the Leader (Councillor Andrew Slaughter), seconded by Councillor Cartwright.

Speeches on the report were made by Councillor Botterill (for the Opposition), with Councillor Slaughter responding (for the Administration).

The report and recommendations were put to the vote:

FOR - 20  
AGAINST - 11  
ABSTENTIONS - 0

The report and recommendations were declared **CARRIED.**

7.39pm – **RESOLVED –**

1. That the Statement of Accounts for 2001-02 be re-approved, and the Statement of Accounts for 2002-03 be approved, subject to any changes that may emerge from the audit of the accounts.
2. That it be noted the formal publication of the Council's Accounts for 2001-02 and 2002-03 will take place before 31 December 2003.
3. That a Special Committee for consideration of the Auditor's comments on the Annual Accounts be established, with the membership and terms of reference as set out in Appendix B to the report.

7.40pm – **Councillors' Scheme of Allowances**

[Noted the Declarations of Personal Interest made by all Councillors present at the meeting of the Council on this item as beneficiaries. Councillors remained at the meeting, and spoke and voted on the item.]

The report and recommendation was moved for adoption by the Leader (Councillor Andrew Slaughter), seconded by Councillor Cartwright.

The report and recommendation was put to the vote:

FOR - 19  
AGAINST - 10  
ABSTENTIONS - 0

The report and recommendation was declared **CARRIED.**

7.42pm – **RESOLVED –**

That the Scheme of Members' Allowances, as set out in the Appendix to the report, be adopted and backdated to May 2003.

7.43pm – **Local Protocol / Guidance for Councillors & Officers involved in Outside Organisations.**

The report and recommendation was moved for adoption by the Leader (Councillor Andrew Slaughter), seconded by Councillor Cartwright.

The report and recommendation was put to the vote:

FOR	- Unanimous
AGAINST	- 0
ABSTENTIONS	- 0

The report and recommendation was declared **CARRIED.**

7.44pm – **RESOLVED –**

That the Council adopts the new revised version of Guidance for Councillors and Officers involved in Outside Organisations, replacing that at pages 341-356 of the Council Constitution.

**29. SPECIAL MOTION NO.1**

7.45pm – **Special Motion No.1 – Council procedure Rule No.14 Amendment**

Councillor Aherne moved, seconded by Councillor Evans, the special motion standing in their names:

"That Council Procedure Rule 14, dealing with Special Motions, be amended as follows to improve clarity as to how such motions should be dealt with in future. (revised wording shown in italics):

**14. SPECIAL MOTIONS**

[**NOTE:** \* The term "clear days" below refers to weekdays, excluding weekends, Bank Holidays, the day the motion is received, and the day on which the meeting is held.]

- a) Any two Councillors may submit a Special Motion for debate by the Council. Such motions shall be published in the agenda for the meeting.
- b) Special Motions must be relevant to matters affecting the lives of people living and working in the Borough.
- c) Special Motions may be ruled out of order *by the Mayor, on advice from the Director of Policy and Administration and Head of Legal Services*, if they are irrelevant to the affairs of the Borough, defamatory, or place the Council at legal risk. *Where ruled out of order, such motions shall not be placed on the agenda and the mover and seconder shall be notified. Where motions are submitted close to the deadline, and review has not been possible prior to publication of the agenda, the Mayor may make*

*a ruling, on advice, at the Council meeting. Motions that are ruled out of order at Council meetings may not be amended to make them valid. Neither may a substitute motion be tabled.*

- d) A councillor may not move a Special Motion to directly overturn a Council resolution arising from a previous Special Motion passed in the previous six months. A Special motion or amendment may not be submitted to the same effect as one rejected in the preceding six months.
- e) Special Motions must be submitted to the offices of the Director of Policy and Administration, signed by the mover and seconder, *no later than midday 7 clear days\** before the date of the Council Meeting. (*i.e by midday (12 noon) on the Friday (normally) the week before the date of the Council meeting*).
- f) Amendments to Special Motions may be submitted to, or moved at, the Council Meeting. They will be included on the agenda if received **6 clear days\*** prior to the meeting.
- g) Special motions will be included on the agenda in the order that they are received.
- h) Amendments to Special motions must relate sufficiently to the original motion so as not to contravene requirements for public notice of matters on the Council agenda as required by the 1972 Local Government Act.
- i) Special Motions may be withdrawn at, or prior to, a Council meeting. Motions not moved or seconded shall be treated as withdrawn.
- j) Special Motions shall be debated in accordance with the rules of debate and may be (i) supported; (ii) supported in amended form following one or more amendments moved and accepted; (iii) opposed.
- k) No Councillor shall move or second more than two Special Motions at the same meeting.”

Under Council Procedure Rule 15 (e) (x), Councillor Loveday raised a point of order that the proposed wording of paragraph 14(e) of the motion appeared not to be in order, and invited the Mayor to give a ruling on the matter.

On advice from officers, the Mayor ruled that the mover and seconder should amend the motion under Council Procedure Rule 14(f) to delete the words in italics “*...of the Council meeting*” in the last line of paragraph (e), and to substitute the words “*...of publication of the Council Agenda*”, which would bring the motion into order.

Councillor Aherne duly moved, seconded by Councillor Evans, the suggested amendment to the motion to bring it into order.

Speeches on the amendment were made by Councillor Loveday (for the Opposition), with Councillor Aherne responding (for the Administration).

The amendment to the motion was put to the vote:

FOR - Unanimous  
AGAINST - 0  
ABSTENTIONS - 0

The amendment to the motion was declared **CARRIED**.

The motion (as amended) was then put to the vote:

FOR - 19  
AGAINST - 14  
ABSTENTIONS - 0

The motion as amended was declared **CARRIED**

7.59pm - **RESOLVED –**

That Council Procedure Rule 14, dealing with Special Motions, be amended as follows to improve clarity as to how such motions should be dealt with in future”. (revised wording shown in italics):

#### 14 SPECIAL MOTIONS

[**NOTE:** \* The term “clear days” below refers to weekdays, excluding weekends, Bank Holidays, the day the motion is received, and the day on which the meeting is held.]

- a) Any two Councillors may submit a Special Motion for debate by the Council. Such motions shall be published in the agenda for the meeting.
- b) Special Motions must be relevant to matters affecting the lives of people living and working in the Borough.
- c) Special Motions may be ruled out of order *by the Mayor, on advice from the Director of Policy and Administration and Head of Legal Services, if they are irrelevant to the affairs of the Borough, defamatory, or place the Council at legal risk. Where ruled out of order, such motions shall not be placed on the agenda and the mover and seconder shall be notified. Where motions are submitted close to the deadline, and review has not been possible prior to publication of the agenda, the Mayor may make a ruling, on advice, at the Council meeting. Motions that are ruled out of order at Council meetings may not be amended to make them valid. Neither may a substitute motion be tabled.*
- d) A councillor may not move a Special Motion to directly overturn a Council resolution arising from a previous Special Motion passed in the previous six months. A Special motion or amendment may not be submitted to the same effect as one rejected in the preceding six months.
- e) Special Motions must be submitted to the offices of the Director of Policy and Administration, signed by the mover and seconder, *no later than midday* **7 clear**



**days\*** before the date of the Council Meeting. (*i.e by midday (12 noon) on the Friday (normally) the week before the date of publication of the Council Agenda*).

- f) Amendments to Special Motions may be submitted to, or moved at, the Council Meeting. They will be included on the agenda if received **6 clear days\*** prior to the meeting.
- g) Special motions will be included on the agenda in the order that they are received.
- h) Amendments to Special motions must relate sufficiently to the original motion so as not to contravene requirements for public notice of matters on the Council agenda as required by the 1972 Local Government Act.
- i) Special Motions may be withdrawn at, or prior to, a Council meeting. Motions not moved or seconded shall be treated as withdrawn.
- j) Special Motions shall be debated in accordance with the rules of debate and may be (i) supported; (ii) supported in amended form following one or more amendments moved and accepted; (iii) opposed.
- k) No Councillor shall move or second more than two Special Motions at the same meeting.”

### **30. SPECIAL MOTION NO.2**

#### 8.00pm - **Special Motion No.2 – Council Accounts**

Councillor Botterill moved (in lieu of Councillor Greenhalgh), seconded by Councillor Hands (in lieu of Councillor Adam), the special motion standing in their names:

“This Council has no confidence in its ability to produce accurate accounts and to implement tight fiscal controls.”

Speeches on the motion were made by Councillors Botterill, Bethell, Adam, Hands, Slaughter and Cartwright

Councillor Botterill made a closing speech on the debate before the motion was put to the vote:

FOR	- 14
AGAINST	- 22
ABSTENTIONS	- 0

The motion was declared **LOST**

### 31. SPECIAL MOTION NO.3

#### 8.40pm – Special Motion No.3 – Crime Reduction in the Borough

Councillor Hands moved, seconded by Councillor Stainton, the special motion standing in their names:

“This Council notes the declining detection rates for crimes committed in Hammersmith & Fulham and calls for measures to support crime reduction across the Borough, including CCTV in Shepherds Bush Road and Wandsworth Bridge Road.”

Speeches on the motion were made by Councillors Hands and Stainton.

Councillor McLaughlin moved, seconded by Councillor Karian, an amendment to the motion to delete all words after “This Council notes...” and to insert:

“...the concerns of residents of Hammersmith & Fulham around crime and disorder. The Council also notes the commitment that the Council has made to support crime reduction and combat anti-social behaviour. This includes the Parks Constabulary, Street Wardens, Estate Wardens, CCTV and the Council’s Anti-Social Behaviour Unit. This Council will continue to develop and implement measures to support crime reduction across the Borough.”

Speeches on the amendment to the motion were made by Councillors McLaughlin, Karian, Cowan, Davies, Neubert (maiden speech), Dawson and Stanley, before the amendment to the motion was put to the vote:

FOR	- 23
AGAINST	- 14
ABSTENTIONS	- 0

The amendment to the motion was declared **CARRIED**

Councillor Hands made a closing speech on the debate, before the motion (as amended) was put to the vote.

FOR	- 24
AGAINST	- 12
ABSTENTIONS	- 2

The motion as amended was declared **CARRIED**

#### 9.33pm – RESOLVED-

This Council notes the concerns of residents of Hammersmith & Fulham around crime and disorder. The Council also notes the commitment that the Council has made to support crime reduction and combat anti-social behaviour. This includes the Parks Constabulary, Street Wardens, Estate Wardens, CCTV and the Council’s Anti-Social

Behaviour Unit. This Council will continue to develop and implement measures to support crime reduction across the Borough.

**32. INFORMATION REPORTS**

There were no information reports at this meeting of the Council.

\* \* \* \* \* CONCLUSION OF BUSINESS \* \* \* \* \*

Meeting ended: 9.34 p.m. - Wednesday, 24 September 2003

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MAYOR

jpc/30/09/03