

# EAST STAFFORDSHIRE BOROUGH COUNCIL

Minutes of a Meeting of East Staffordshire Borough Council held in the Council Chamber, Town Hall, Burton upon Trent on Monday 20<sup>th</sup> February 2023.

## Present:

Councillor P Hudson (Mayor) in the Chair

Councillors	Mrs P L Ackroyd	H Hall
	G A Allen	S A Hussain
	Mrs B Ashcroft	Mrs J Jones
	E W R Barker	Mrs J A Killoran
	L Beech	G Lamb
	Mrs B Brady	Ms A Legg
	K J Builth	R Lock
	A A Chaudhry	S McGarry
	A Clarke	S McKiernan
	R A Faulkner	M Metcalfe
	M T Fitzpatrick	S Sankey
	D F Fletcher	M Shrive
	D Florence-Jukes	C Sylvester (Deputy Mayor)
	S P Gaskin	Mrs B Toon
	D Goodfellow	Mrs L Walker
	Mrs V J Gould	P Walker
	R G W Grosvenor	C V Whittaker
	G Hall	C D Wileman

## Officers Present:

The Chief Executive, the Heads of Service (Mark Rizk, Sal Khan and Thomas Deery), the Monitoring Officer, the Chief Accountant, the Corporate and Commercial Manager, the Digital Communications Officer, the Senior Democratic Services Officer and the Principal Democratic Services Officer.

Apologies for absence were received from Councillors T Hadley and B G Peters.

### 275/23 **DECLARATIONS OF INTEREST**

There were no declarations of interest at the commencement of the meeting.

### 276/23 **MINUTES**

The public minutes of the meeting of the Borough Council held on 12<sup>th</sup> December 2022 were approved as a correct record and signed by the Mayor.

Voting concerning the above decision was as follows:

<b>THOSE VOTING FOR THE MOTION Councillor</b>	<b>THOSE VOTING AGAINST Councillor</b>	<b>THOSE ABSTAINING Councillor</b>
Mrs P L Ackroyd		K J Builth
G Allen		A A Chaudhry
Mrs B Ashcroft		G Hall
E W R Barker		C V Whittaker
L Beech		
Mrs B Brady		
A Clarke		
R A Faulkner		
M T Fitzpatrick		
D F Fletcher		
D Florence-Jukes		
S P Gaskin		
D Goodfellow		
Mrs V J Gould		
R G W Grosvenor		
H Hall		
P Hudson		
S A Hussain		
Mrs J Jones		
Mrs J A Killoran		
G Lamb		
Ms A J Legg		
R Lock		
S McGarry		
S McKiernan		
M Metcalfe		
S Sankey		
M Shrive		
C Sylvester		
Mrs B Toon		
L Walker		
P Walker		
C D Wileman		

**277/23 ANNOUNCEMENTS**

There were no announcements at the meeting.

**278/23 URGENT BUSINESS**

There was no urgent business for consideration at the meeting.

**279/23 CABINET ROLE DESCRIPTIONS – REVISED PART 3CA OF THE CONSTITUTION**

Council noted the amended Cabinet role descriptions which had been circulated with the agenda for the meeting.

In accordance with Section 6.4 of part of the Constitution, the Leader of the Council informed Council that he had appointed Councillor A Clarke to the post of Cabinet member for Regeneration, Business Support and Marketing.

**NOTED.**

280/23 **PLANNING COMMITTEE MEMBERSHIP CHANGE**

Councillor M T Fitzpatrick proposed that Councillor K J Builth be appointed to serve on the Planning Committee to replace Councillor S McKiernan, with immediate effect, which was duly seconded.

**Resolved:**

That Councillor K J Builth be appointed to serve on the Planning Committee to replace Councillor S McKiernan.

Voting concerning the above decision was as follows:

<b>THOSE VOTING FOR THE MOTION Councillor</b>	<b>THOSE VOTING AGAINST Councillor</b>	<b>THOSE ABSTAINING Councillor</b>
Mrs P L Ackroyd		K J Builth
G Allen		
Mrs B Ashcroft		
E W R Barker		
L Beech		
Mrs B Brady		
A A Chaudhry		
A Clarke		
R A Faulkner		
M T Fitzpatrick		
D F Fletcher		
D Florence-Jukes		
S P Gaskin		
D Goodfellow		
Mrs V J Gould		
R G W Grosvenor		
G Hall		
H Hall		
P Hudson		
S A Hussain		
Mrs J Jones		
Mrs J A Killoran		
G Lamb		
Ms A J Legg		
R Lock		
S McGarry		
S McKiernan		
M Metcalfe		
S Sankey		
M Shrive		
C Sylvester		
Mrs B Toon		
L Walker		
P Walker		
C V Whittaker		
C D Wileman		

An updated Committee membership list is appended to these minutes.

### 281/23 **PARENTAL LEAVE FOR COUNCILLORS**

The report of the Monitoring Officer on the proposed policy for Councillors on parental, maternity, adoption and surrogacy leave was considered. Appendix 1: Draft Part 5H of the Constitution and Equality and Health Impact Assessment had been circulated with the report.

Councillor D Florence-Jukes requested that once the policy had been approved, the Monitoring Officer clarify the issue of leave for both parents contained within the policy.

**Resolved:**

- 1) That, subject to the above, Council approve the amendment to the Constitution;
- 2) That the Monitoring Officer be authorised to make any necessary further changes to the draft document in relation to formatting, numbering or such other changes consequential to or incidental to the intentions of Full Council.

Voting concerning the above decision was as follows:

<b>THOSE VOTING FOR THE MOTION Councillor</b>	<b>THOSE VOTING AGAINST Councillor</b>	<b>THOSE ABSTAINING Councillor</b>
Mrs P L Ackroyd		R G W Grosvenor
G Allen		
Mrs B Ashcroft		
E W R Barker		
L Beech		
Mrs B Brady		
K J Builth		
A A Chaudhry		
A Clarke		
R A Faulkner		
M T Fitzpatrick		
D F Fletcher		
D Florence-Jukes		
S P Gaskin		
D Goodfellow		
Mrs V J Gould		
G Hall		
H Hall		
P Hudson		
S A Hussain		
Mrs J Jones		
Mrs J A Killoran		
G Lamb		
Ms A J Legg		
R Lock		
S McGarry		
S McKiernan		
M Metcalfe		
S Sankey		
M Shrive		
C Sylvester		
Mrs B Toon		
L Walker		
P Walker		
C V Whittaker		
C D Wileman		

282/23 **MEDIUM TERM FINANCIAL STRATEGY 2023/24 ONWARDS**

The report of the Head of Service (Sal Khan) on the Medium Term Financial Strategy (MTFS) for the period covering 2023/24 to 2025/26, including the Council's Capital Programme and the Asset Management and Capital Strategy was considered.

The following appendices had been circulated with the report:

- Appendix A: Detailed Budget Summary 2023/24 – 2024/25
- Appendix B: Capital Programme
- Appendix C: Reserves Forecast

Appendix D: Asset Management and Capital Strategy 2023/24.

It was proposed and duly seconded

- “1) That the Medium Term Financial Strategy 2023/24 to 2025/26 be approved, which includes the revenue budget, capital programme and the asset management and capital strategy; and that the level and appropriateness of reserves be noted;
- 2) That the revised Council Tax Reduction Scheme, effective from 1<sup>st</sup> April 2023, as outlined in Section 11 of the report, be approved.”

As required by the Rules of Procedure, a named vote was taken. In accordance with the voting the Mayor declared the motion was carried.

Voting concerning the above decision was as follows:

<b>THOSE VOTING FOR THE MOTION Councillor</b>	<b>THOSE VOTING AGAINST Councillor</b>	<b>THOSE ABSTAINING Councillor</b>
Mrs P L Ackroyd	D Florence-Jukes	K J Builth
G Allen	R G W Grosvenor	A A Chaudhry
Mrs B Ashcroft	H Hall	M T Fitzpatrick
E W R Barker	G Lamb	D F Fletcher
L Beech	M Shrive	S A Hussain
Mrs B Brady	L Walker	Ms A J Legg
A Clarke	P Walker	S McKiernan
R A Faulkner		
S P Gaskin		
D Goodfellow		
Mrs V J Gould		
G Hall		
P Hudson		
Mrs J Jones		
Mrs J A Killoran		
R Lock		
S McGarry		
M Metcalfe		
S Sankey		
C Sylvester		
Mrs B Toon		
C V Whittaker		
C D Wileman		

283/23 **TREASURY MANAGEMENT STRATEGY STATEMENT 2023/24**

The report of the Head of Service (Sal Khan) on the Treasury Management Strategy Statement and the Annual Investment Strategy 2023/24 was considered.

Appendix A: Treasury Management Strategy Statement and Annual Investment Strategy 2023/24 had been circulated with the report.

**Resolved:**

That the Treasury Management Strategy Statement, Minimum Revenue Provision Policy, and Annual Investment Strategy 2023/24 as set out in Appendix A to the report be approved.

Voting concerning the above decision was as follows:

<b>THOSE VOTING FOR THE MOTION Councillor</b>	<b>THOSE VOTING AGAINST Councillor</b>	<b>THOSE ABSTAINING Councillor</b>
Mrs P L Ackroyd	R G W Grosvenor	K J Builth
G Allen		D Florence-Jukes
Mrs B Ashcroft		S A Hussain
E W R Barker		S McKiernan
L Beech		M Shrive
Mrs B Brady		L Walker
A A Chaudhry		P Walker
A Clarke		
R A Faulkner		
M T Fitzpatrick		
D F Fletcher		
S P Gaskin		
D Goodfellow		
Mrs V J Gould		
G Hall		
H Hall		
P Hudson		
Mrs J Jones		
Mrs J A Killoran		
G Lamb		
Ms A J Legg		
R Lock		
S McGarry		
M Metcalfe		
S Sankey		
C Sylvester		
Mrs B Toon		
C V Whittaker		
C D Wileman		

284/23 **COUNCIL TAX SETTING 2023/24**

The report of the Head of Service (Sal Khan) on setting the amount of Council tax for the year 2023/24 was considered.

The following appendices had been circulated with the report:



Appendix 1: Special Expenses;  
Appendix 2: Council Tax Base;  
Appendix 3: Calculation of Council Tax & East Staffordshire Borough Council Tax Rates;  
Appendix 4 Major Precepts  
Appendix 5 Total Council Tax Rates;  
Appendix 6 Local Precepts

Council noted that:

- (1) The report was based upon the revenue budget for 2023/24, as set out elsewhere on the Agenda;
- (2) The Executive Decision Record – Council Tax Base 2023/24 of the 8<sup>th</sup> December 2022 calculated the amounts highlighted at Appendix 12.2 in accordance with regulations made under section 33 (5) of the Local Government Finance Act;
- (3) The amounts at Appendix 12.3 had been calculated by the Council for the year 2023/24 in accordance with sections 31 to 36 of the Local Government Finance Act 1992;
- (4) In making the calculations at Appendix 12.3 the Council was utilising its powers under The Billing Authorities (Anticipation of Precepts) Regulations 1992 and The Billing Authorities (Anticipation of Precepts) (Amendment) Regulations 1995 in respect of Mayfield Parish Council and that should Mayfield Parish Council set an higher precept before 1<sup>st</sup> March the Council intended to recover the difference from future discretionary council tax support grant awards made to the Parish Council;
- (5) The amounts in Appendix 12.4 be noted as precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwelling shown.

It was proposed and duly seconded that:

“1) That for the purpose of section 35 (e) of the Local Government Finance Act 1992, all expenses incurred by the Council in 2023/24 be declared general expenses, apart from those expenses which are incurred by the Council in performing in a part of its area a function performed elsewhere in its area by a body with power to issue a precept to the Council, as listed at Appendix 12.1 and are therefore special expenses;

2) That having calculated in each case the aggregate of the amounts of the schedule at Appendix 12.3(h) and the amounts in Appendix 12.4, the Council, in accordance with Section 30 (2) of the Local Government Finance Act 1992, hereby sets the amounts shown on Appendix 12.5 as the amounts of council tax for the year 2023/24, for each of the categories of dwellings shown”.

As required by the Rules of Procedure, a named vote was taken. In accordance with the voting the Mayor declared the motion was carried.

<b>THOSE VOTING FOR THE MOTION Councillor</b>	<b>THOSE VOTING AGAINST Councillor</b>	<b>THOSE ABSTAINING Councillor</b>
Mrs P L Ackroyd	R G W Grosvenor	K J Builth
G Allen	S A Hussain	A A Chaudhry
Mrs B Ashcroft	M Shrive	M T Fitzpatrick
E W R Barker	L Walker	D F Fletcher
L Beech	P Walker	D Florence-Jukes
Mrs B Brady		H Hall
A Clarke		G Lamb
R A Faulkner		Ms A J Legg
S P Gaskin		S McKiernan
D Goodfellow		
Mrs V J Gould		
G Hall		
P Hudson		
Mrs J Jones		
Mrs J A Killoran		
R Lock		
S McGarry		
M Metcalfe		
S Sankey		
C Sylvester		
Mrs B Toon		
C V Whittaker		
C D Wileman		

**285/23 URGENT DECISION – EDR 528/22 INCOME MANAGER SOFTWARE UPGRADE**

The Leader reported that he had signed an urgent executive decision record (reference 528/22 Income Manager Software Manager Upgrade on 21<sup>st</sup> December 2022). The Leader confirmed that in accordance with Part 3 of the Constitution the Mayor had agreed that the decision was urgent and that it had not been practical to convene a meeting of the Full Council.

A copy of the Executive Decision Record had been circulated with the agenda for the meeting.

**NOTED.**

**286/23 NOTICE OF MOTION**

Councillor C D Wileman had put forward the following motion, in accordance with Rule 14, which had been duly seconded:

“This Council welcomes the creation of the Uttoxeter Parkrun and would like to record its thanks to the volunteers who have started the first Parkrun in East Staffordshire. The Council would like to see a Parkrun created in Burton and we ask the Cabinet Member for Leisure to commit to supporting the organizers to get this established later this year. We welcome both initiatives that will encourage more people to be active and this, in turn, will improve the physical and mental health of our communities. “

The Mayor invited Council to debate the motion under Rule 16 (Rules of debate).

In accordance with Part 3a Section 14.6 of the Constitution, as the subject of the motion came solely within the powers, duties and responsibilities of the Cabinet, the Mayor indicated that the motion would stand referred to the Cabinet to determine.

He confirmed that any such Motion on notice referred to Cabinet would be reported back to Full Council following a decision being made by the Cabinet on that motion.

**NOTED.**

287/23 **NOTICE OF MOTION**

Councillor G Allen had put forward the following motion, in accordance with Rule 14, which had been duly seconded:

“This Council notes the Government’s decision to not fund ESBC’s bid to the LUF round 2 but welcomes the £6million of funding for Branston Interchange and new low emissions buses for use in and around Burton. We look forward to round 3 of LUF and we remain positive about Burton upon Trent and the continued investment by the Government, this Council and partners and the impact Levelling Up will have on the Town and Borough

The Mayor invited Council to debate the motion under Rule 16 (Rules of debate).

In accordance with Part 3a Section 14.6 of the Constitution, as the subject of the motion came solely within the powers, duties and responsibilities of the Cabinet, the Mayor indicated that the motion would stand referred to the Cabinet to determine.

He confirmed that any such Motion on notice referred to Cabinet would be reported back to Full Council following a decision being made by the Cabinet on that motion.

**NOTED.**

288/23 **QUESTIONS**

There were no questions received prior to the meeting pursuant to Rule 18.

289/23 **EXCLUSION OF THE PRESS AND PUBLIC**

**Resolved:-**

That in accordance with Section 100(A)(4) of the Local Government Act, 1972 the Press and public be excluded from the following item on the agenda for the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

Voting concerning the above decision was as follows:

<b>THOSE VOTING FOR THE MOTION Councillor</b>	<b>THOSE VOTING AGAINST Councillor</b>	<b>THOSE ABSTAINING Councillor</b>
Mrs P L Ackroyd	R G W Grosvenor	H Hall
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Mrs J A Killoran		
G Lamb		
Ms A J Legg		
R Lock		
S McGarry		
S McKiernan		
M Metcalfe		
S Sankey		
M Shrive		
C Sylvester		
Mrs B Toon		
L Walker		
P Walker		
C V Whittaker		
C D Wileman		

**Mayor**