

EAST STAFFORDSHIRE BOROUGH COUNCIL

Minutes of a Meeting of East Staffordshire Borough Council held in the Council Chamber at the Town Hall, Burton upon Trent on Monday 4th December 2017

Present:

Councillor S G Gaskin (Mayor) in the Chair

Councillors	Mrs P L Ackroyd	Mrs J F Jessel
	G A Allen	A Johnson
	E W R Barker	R A Johnston
	M J Bowering	Mrs J Jones
	K J Bulth	D C Leese
	R J Clarke	S McGarry
	R A Faulkner	S McKiernan
	M Fitzpatrick	L G Milner
	D Florence-Jukes	B G Peters
	D Goodfellow	Mrs L Shelton
	R G W Grosvenor	C Smith (Deputy Mayor)
	G Hall	S Smith
	H Hall	P Walker
	P Hudson	C V Whittaker
	S A Hussain	C Wileman

Officers Present:

The Chief Executive, the Heads of Service (Mark Rizk and Sal Khan), the Monitoring Officer, the Deputy Monitoring Officer, the Chief Accountant, the E-Communications Officer, the Principal Democratic Services Officer and Mr Mark Stocks (Grant Thornton) (for item 187/17-191/17 inclusive only).

Apologies for absence were received from Councillors S Andjelkovic, A A Chaudhry, D F Fletcher, C Jones, Mrs J Killoran, Ms A J Legg and Mrs B Toon.

187/17 **DECLARATIONS OF INTEREST**

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

188/17 **MINUTES**

The minutes of the meeting of the Borough Council held on 19th June 2017 were approved as a correct record and signed by the Mayor.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION	THOSE VOTING AGAINST	THOSE ABSTAINING
Councillor Mrs P L Ackroyd		Councillor Mrs L Shelton
Councillor G A Allen		
Councillor E W R Barker		

Councillor M J Bowering		
Councillor K J Builth		
Councillor R J Clarke		
Councillor R A Faulkner		
Councillor M T Fitzpatrick		
Councillor D Florence-Jukes		
Councillor S Gaskin		
Councillor D Goodfellow		
Councillor R G W Grosvenor		
Councillor G Hall		
Councillor H Hall		
Councillor P Hudson		
Councillor S A Hussain		
Councillor Mrs J F Jessel		
Councillor A Johnson		
Councillor R A Johnston		
Councillor Mrs J Jones		
Councillor D C Leese		
Councillor S McGarry		
Councillor S McKiernan		
Councillor L G Milner		
Councillor B G Peters		
Councillor C Smith		
Councillor S Smith		
Councillor P Walker		
Councillor C V Whittaker		
Councillor C Wileman		

189/17 **ANNOUNCEMENTS**

There were no announcements at the meeting.

190/17 **URGENT BUSINESS**

In accordance with procedural Rule 12, the Mayor indicated that he had received an urgent motion on notice.

The motion had been received by Councillor M T Fitzpatrick and read as follows:

“In light of recent comments made in Parliament, this council urgently reiterates that we deplore any form of discrimination, racial, sexual or ageism in our Borough and anyone making comments of that nature. We support all authorities that provide social care to our residents and the difficulties that those residents have accessing social care should always be taken seriously.”

The Mayor indicated that he considered the motion to be urgent and it would therefore be dealt with at this meeting.

The motion was duly moved and seconded.

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

Councillor R G W Grosvenor proposed an amendment in accordance with Rule 16.18 which read:

“delete the words “in Parliament” and replace with “at local, national and international level””. This amendment had been duly seconded.

Upon a vote being taken, the Mayor declared the motion, as amended, carried.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION	THOSE VOTING AGAINST	THOSE ABSTAINING
Councillor Mrs P L Ackroyd		
Councillor G A Allen		
Councillor E W R Barker		
Councillor M J Bowering		
Councillor K J Builth		
Councillor R J Clarke		
Councillor R A Faulkner		
Councillor M T Fitzpatrick		
Councillor D Florence-Jukes		
Councillor S Gaskin		
Councillor D Goodfellow		
Councillor R G W Grosvenor		
Councillor G Hall		
Councillor H Hall		
Councillor P Hudson		
Councillor S A Hussain		
Councillor Mrs J F Jessel		
Councillor A Johnson		
Councillor R A Johnston		
Councillor Mrs J Jones		
Councillor D C Leese		
Councillor S McGarry		
Councillor S McKiernan		
Councillor L G Milner		
Councillor B G Peters		
Councillor Mrs L Shelton		
Councillor C Smith		
Councillor S Smith		
Councillor P Walker		
Councillor C V Whittaker		
Councillor C Wileman		

At this juncture Councillor S McKiernan left the meeting

The amended motion therefore became the substantive motion. In accordance with the voting the Mayor declared the substantive motion carried.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION	THOSE VOTING AGAINST	THOSE ABSTAINING
Councillor Mrs P L Ackroyd		
Councillor G A Allen		
Councillor E W R Barker		
Councillor M J Bowering		
Councillor K J Builth		
Councillor R J Clarke		
Councillor R A Faulkner		
Councillor M T Fitzpatrick		
Councillor D Florence-Jukes		
Councillor S Gaskin		
Councillor D Goodfellow		
Councillor R G W Grosvenor		
Councillor G Hall		
Councillor H Hall		
Councillor P Hudson		
Councillor S A Hussain		
Councillor Mrs J F Jessel		
Councillor A Johnson		
Councillor R A Johnston		
Councillor Mrs J Jones		
Councillor D C Leese		
Councillor S McGarry		
Councillor L G Milner		
Councillor B G Peters		
Councillor Mrs L Shelton		
Councillor C Smith		
Councillor S Smith		
Councillor P Walker		
Councillor C V Whittaker		
Councillor C Wileman		

At this juncture Councillor S McKiernan returned to the meeting.

191/17 **ANNUAL AUDIT LETTER**

The Annual Audit Letter for East Staffordshire Borough Council for the year ended 31 March 2017 was considered. The Mayor invited Mr Mark Stocks (Partner, Grant Thornton) to present the Annual Audit letter. Mr Stocks highlighted that an unqualified opinion on the Council's financial statements was given on 27th July 2017 and that the Council had put in place proper arrangements to ensure economy, efficiency and effectiveness in its use of resources during the year ended March 2017 and that this was reflected in the audit opinion on 27th July 2017.

Mr Stocks placed on record his thanks to officers for their help and support during the year.

NOTED.

192/17 **REPORT OF THE RETURNING OFFICER ON THE BOROUGH COUNCIL BY ELECTION HELD ON 28TH SEPTEMBER 2017**

This item had been withdrawn from the meeting

193/17 **APPOINTMENT OF COMMITTEES**

The report of the Deputy Monitoring Officer on the number and allocation of Councillors to serve on Committees, the nominations to those committees from the political groups and the appointment to those committees was considered. Appendix 1: List of Members nominated to serve on Committees and Panels (November 2017) had been circulated with the report.

Council noted that, following the resignation of former Councillor D Spedding, it was proposed that Councillor G Allen replace Councillor S P Gaskin on the Planning Committee; Councillor S A Hussain replace Councillor Ms A J Legg on the Licensing Committee; Councillor P Hudson be removed from the Scrutiny (Economic Growth, Communities and Health) Committee (therefore leaving one vacancy on that committee) and that Councillor R A Johnston replace Councillor Ms A J Legg on the Scrutiny (Economic Growth, Communities and Health) Committee. A copy of the Committee Membership schedule is appended to these minutes.

Resolved:

- (1) That Councillor G Allen replace Councillor S P Gaskin on the Planning Committee;
- (2) That Councillor S A Hussain replace Councillor Ms A J Legg on the Licensing Committee;
- (3) That Councillor P Hudson be removed from the Scrutiny (Economic Growth, Communities and Health) Committee (therefore leaving one vacancy on that Committee);
- (4) That Councillor R A Johnston replace Councillor Ms A J Legg on the Scrutiny (Economic Growth, Communities and Health) Committee.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION	THOSE VOTING AGAINST	THOSE ABSTAINING
Councillor Mrs P L Ackroyd		
Councillor G A Allen		
Councillor E W R Barker		
Councillor M J Bowering		
Councillor K J Builth		
Councillor R J Clarke		
Councillor R A Faulkner		
Councillor M T Fitzpatrick		
Councillor D Florence-Jukes		
Councillor S Gaskin		
Councillor D Goodfellow		

Councillor R G W Grosvenor		
Councillor G Hall		
Councillor H Hall		
Councillor P Hudson		
Councillor S A Hussain		
Councillor Mrs J F Jessel		
Councillor A Johnson		
Councillor R A Johnston		
Councillor Mrs J Jones		
Councillor D C Leese		
Councillor S McGarry		
Councillor S McKiernan		
Councillor L G Milner		
Councillor B G Peters		
Councillor Mrs L Shelton		
Councillor C Smith		
Councillor S Smith		
Councillor P Walker		
Councillor C V Whittaker		
Councillor C Wileman		

194/17 **WAIVER OF SECTION 85(1) LOCAL GOVERNMENT ACT 1972 (6 MONTH COUNCILLOR ATTENDANCE RULE)**

The report of the Monitoring Officer on the waiver of the six month Councillor attendance rule in the case of Councillor Alison Legg was considered.

Councillors noted that section 85(1) of the Local Government Act 1972 required a member of a Local Authority to attend at least one meeting of that Authority within a six month consecutive period, in order to avoid being disqualified as a Councillor and that Councillor Alison Legg had made a formal request for the approval of an extension to the six month rule in her case, due to a serious medical condition and extended period of recuperation.

Resolved:

- (1) That the request to extend Councillor Alison Legg's period of office beyond the six month period of non-attendance provided for within Section 85(1) of the Local Government Act 1972 on the grounds of her ill-health and ongoing recovery be considered;
- (2) That the extension of time be for a further 6 month period, to expire 19th June 2018 be approved.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION	THOSE VOTING AGAINST	THOSE ABSTAINING
Councillor Mrs P L Ackroyd		
Councillor G A Allen		
Councillor E W R Barker		

Councillor M J Bowering		
Councillor K J Builth		
Councillor R J Clarke		
Councillor R A Faulkner		
Councillor M T Fitzpatrick		
Councillor D Florence-Jukes		
Councillor S Gaskin		
Councillor D Goodfellow		
Councillor R G W Grosvenor		
Councillor G Hall		
Councillor H Hall		
Councillor P Hudson		
Councillor S A Hussain		
Councillor Mrs J F Jessel		
Councillor A Johnson		
Councillor R A Johnston		
Councillor Mrs J Jones		
Councillor D C Leese		
Councillor S McGarry		
Councillor S McKiernan		
Councillor L G Milner		
Councillor B G Peters		
Councillor Mrs L Shelton		
Councillor C Smith		
Councillor S Smith		
Councillor P Walker		
Councillor C V Whittaker		
Councillor C Wileman		

195/17 **ADDITIONAL FREE PARKING OPTIONS – CHRISTMAS 2017**

The report of the Head of Service (Mark Rizk) on the options for additional free parking over the Christmas period in addition to the “Free after 3” parking that was currently offered at Coopers Square, Burton Place and the Maltings (Uttoxeter) car parks was considered.

Council considered the following options for additional free parking:

- Option 1: the weekends leading up to Christmas (9th & 10th, 16th & 17th, 23rd & 24th December 2017);
- Option 2: Monday and Tuesday leading up to Christmas (11th, 12th, 18th and 19th December 2017);
- Option 3: Christmas/January Sales week (26th December 2017 to 1st January 2018 inclusive);
- Option 4: No additional free parking.

For each of the options indicated above, income reduction, tickets, footfall and operational considerations were detailed in the report.

Resolved:

That option 4 (no additional free parking) as detailed in section 5.5.1 of the report, be approved.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION	THOSE VOTING AGAINST	THOSE ABSTAINING
Councillor Mrs P L Ackroyd		
Councillor G A Allen		
Councillor E W R Barker		
Councillor M J Bowering		
Councillor K J Builth		
Councillor R J Clarke		
Councillor R A Faulkner		
Councillor M T Fitzpatrick		
Councillor D Florence-Jukes		
Councillor S Gaskin		
Councillor D Goodfellow		
Councillor R G W Grosvenor		
Councillor G Hall		
Councillor H Hall		
Councillor P Hudson		
Councillor S A Hussain		
Councillor Mrs J F Jessel		
Councillor A Johnson		
Councillor R A Johnston		
Councillor Mrs J Jones		
Councillor D C Leese		
Councillor S McGarry		
Councillor S McKiernan		
Councillor L G Milner		
Councillor B G Peters		
Councillor Mrs L Shelton		
Councillor C Smith		
Councillor S Smith		
Councillor P Walker		
Councillor C V Whittaker		
Councillor C Wileman		

196/17 **MID-YEAR TREASURY MANAGEMENT REVIEW REPORT 2017-2018**

The report of the Head of Service (Sal Khan) on the Mid-Year Treasury Management review report 2017-18 was considered. Appendix A – Mid-Year Treasury Management Report had been circulated with the report.

Councillors noted that the report provided an update against the Treasury Management Statement (TMSS), setting out current investment and borrowing portfolios and outlining any other treasury related matters.

Resolved:

That the Mid-Year Treasury Management Report as set out in Appendix A be noted.

Voting concerning the above decision

THOSE VOTING FOR THE MOTION	THOSE VOTING AGAINST	THOSE ABSTAINING
Councillor Mrs P L Ackroyd		
Councillor G A Allen		
Councillor E W R Barker		
Councillor M J Bowering		
Councillor K J Builth		
Councillor R J Clarke		
Councillor R A Faulkner		
Councillor M T Fitzpatrick		
Councillor D Florence-Jukes		
Councillor S Gaskin		
Councillor D Goodfellow		
Councillor R G W Grosvenor		
Councillor G Hall		
Councillor H Hall		
Councillor P Hudson		
Councillor S A Hussain		
Councillor Mrs J F Jessel		
Councillor A Johnson		
Councillor R A Johnston		
Councillor Mrs J Jones		
Councillor D C Leese		
Councillor S McGarry		
Councillor S McKiernan		
Councillor L G Milner		
Councillor B G Peters		
Councillor Mrs L Shelton		
Councillor C Smith		
Councillor S Smith		
Councillor P Walker		
Councillor C V Whittaker		
Councillor C Wileman		

197/17 **REVIEW OF COUNCIL TAX REDUCTION SCHEME 2017**

The report of the Head of Services (Sal Khan) on the review of the Council's Council Tax Reduction Scheme was considered. The following appendices had been circulated with the report:

- Appendix 1: Proposed Council Tax Reduction Scheme from 1st April 2018;

- Appendix 2: Proposed Council Tax Reduction Scheme for Vulnerable claimants from 1st April 2018;
- Appendix 3: Revised Equality and Health Impact Assessment;
- Appendix 4: Consultation response.

Resolved:

- (1) That the amendment to reduce the maximum period of backdated CTR award for working age claimants that do not come under the Council's Vulnerable Scheme, to 1 month to coincide with current Housing Benefit regulations, as shown in paragraphs 6.2, 6.3, 6.4 and 6.5 be approved;
- (2) That all other provisions of the Council's current scheme (annual upratings) in place since 1st April 2014 remain unchanged.
- (3) That the Revised Council Tax Reduction Scheme shown in appendix 1, be approved and be implemented with effect from 1st April 2018.
- (4) That the Revised Council Tax Reduction Scheme for Vulnerable claimants shown in appendix 2 be approved and be implemented with effect from 1st April 2018.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION	THOSE VOTING AGAINST	THOSE ABSTAINING
Councillor Mrs P L Ackroyd		Councillor S A Hussain
Councillor G A Allen		Councillor P Walker
Councillor E W R Barker		
Councillor M J Bowering		
Councillor K J Builth		
Councillor R J Clarke		
Councillor R A Faulkner		
Councillor M T Fitzpatrick		
Councillor D Florence-Jukes		
Councillor S Gaskin		
Councillor D Goodfellow		
Councillor R G W Grosvenor		
Councillor G Hall		
Councillor H Hall		
Councillor P Hudson		
Councillor Mrs J F Jessel		
Councillor A Johnson		
Councillor R A Johnston		
Councillor Mrs J Jones		
Councillor D C Leese		
Councillor S McGarry		
Councillor S McKiernan		
Councillor L G Milner		
Councillor B G Peters		
Councillor Mrs L Shelton		

Councillor C Smith		
Councillor S Smith		
Councillor C V Whittaker		
Councillor C Wileman		

198/17 **MOTION ON NOTICE**

In accordance with Rule 16.31, Councillor D Florence-Jukes proposed an alteration to the motion she had previously submitted in accordance with Rule 14, as follows:

“That this Council resolves to demonstrate a commitment to recognising that all Members of this Council are equal, irrespective of gender and that henceforth all Councillors be addressed by the same gender neutral title of Councillor followed by first and last names.”

The alteration had been duly seconded. The Council gave consent to the alteration without discussion.

The motion was debated.

Councillor Mrs J Jones proposed an amendment to the motion in accordance with Rule 16.18 which read:

“That this Council continues to demonstrate a commitment to recognising that all Members of this Council are equal, irrespective of gender and that all members shall continue to be entitled to choose how they wish to be addressed. This Council continues to allow members to exercise their freedom of choice in this matter.”

This amendment had been duly seconded.

Upon a vote being taken, the Mayor declared the motion, as amended, carried.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION	THOSE VOTING AGAINST	THOSE ABSTAINING
Councillor Mrs P L Ackroyd	Councillor G A Allen	Councillor R J Clarke
Councillor M J Bowering	Councillor E W R Barker	Councillor M T Fitzpatrick
Councillor R G W Grosvenor	Councillor K J Builth	Councillor R A Johnston
Councillor G Hall	Councillor R A Faulkner	Councillor S McKiernan
Councillor P Hudson	Councillor D Florence-Jukes	
Councillor Mrs J F Jessel	Councillor S Gaskin	
Councillor A Johnson	Councillor D Goodfellow	
Councillor Mrs J Jones	Councillor H Hall	
Councillor D C Leese	Councillor S A Hussain	
Councillor L G Milner	Councillor S McGarry	
Councillor Mrs L Shelton	Councillor B G Peters	
Councillor C Smith	Councillor P Walker	
Councillor S Smith	Councillor C Wileman	
Councillor C V Whittaker		

The amended motion therefore became the substantive motion. In accordance with the voting the Mayor declared the substantive motion carried.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION	THOSE VOTING AGAINST	THOSE ABSTAINING
Councillor Mrs P L Ackroyd	Councillor G A Allen	Councillor E W R Barker
Councillor M J Bowering	Councillor K J Builth	Councillor R J Clarke
Councillor M T Fitzpatrick	Councillor R A Faulkner	Councillor R A Johnston
Councillor R G W Grosvenor	Councillor D Florence-Jukes	Councillor S McKiernan
Councillor G Hall	Councillor S Gaskin	
Councillor P Hudson	Councillor D Goodfellow	
Councillor Mrs J F Jessel	Councillor H Hall	
Councillor A Johnson	Councillor S A Hussain	
Councillor Mrs J Jones	Councillor S McGarry	
Councillor D C Leese	Councillor B G Peters	
Councillor L G Milner	Councillor P Walker	
Councillor Mrs L Shelton	Councillor C Wileman	
Councillor C Smith		
Councillor S Smith		
Councillor C V Whittaker		

199/17 **QUESTIONS**

Questions received prior to the meeting pursuant to Rule 18 and their responses were circulated at the meeting.

200/17 **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 remainder of 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 the paragraph of Part 1 of Schedule 12A of the Act, indicated in brackets before the item number on the Agenda.

Mayor