

## EAST STAFFORDSHIRE BOROUGH COUNCIL

Minutes of the Twenty Eighth Annual Meeting of East Staffordshire Borough Council held in the Council Chamber and the Main Hall at the Town Hall, Burton upon Trent on Friday 17<sup>th</sup> May 2019

### Present:

Mr C Smith (Mayor) in the Chair

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

### Officers Present:

The Chief Executive, the Heads of Service (Mark Rizk and Sal Khan), the Monitoring Officer, the Deputy Monitoring Officer, the E-Communications Officer, the Senior Democratic Services Officer and the Principal Democratic Services Officer.

An apology for absence was received from Councillor D F Fletcher.

#### 01/19 **DECLARATIONS OF INTEREST**

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

#### 02/19 **MINUTES**

The minutes of the meeting of the Borough Council held on 4<sup>th</sup> March 2019 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</b>	<b>THOSE ABSTAINING</b>
Mrs P L Ackroyd		Mrs B Ashcroft
G Allen		Mrs R Brady
S Andjelkovic		A A Chaudhry
E W R Barker		A Clarke
K J Builth		G H Lamb
R A Faulkner		M Metcalfe
M T Fitzpatrick		G Raybould
D Florence-Jukes		S Sankey
S P Gaskin		A Shrive
D Goodfellow		D M Spedding
Mrs V J Gould		C Sylvester
R G W Grosvenor		
G Hall		
H Hall		
P Hudson		
S A Hussain		
A Johnson		
Mrs J Jones		
Mrs J A Killoran		
Ms A J Legg		
S McGarry		
S McKiernan		
B G Peters		
Mrs B Toon		
P Walker		
C V Whittaker		
C D Wileman		

The public minutes of the Extraordinary Council meeting of the Council held on 19<sup>th</sup> March 2019 were approved as a correct record and signed by the Mayor, subject to Councillor S McKiernan submitting her apologies.

Voting concerning the above decision was as follows:

<b>THOSE VOTING FOR THE MOTION Councillor</b>	<b>THOSE VOTING AGAINST</b>	<b>THOSE ABSTAINING</b>
Mrs P L Ackroyd		Mrs B Ashcroft
G Allen		Mrs R Brady
S Andjelkovic		A A Chaudhry
E W R Barker		A Clarke
K J Builth		D Florence-Jukes
R A Faulkner		H Hall
M T Fitzpatrick		Mrs J Jones
S P Gaskin		G H Lamb
D Goodfellow		M Metcalfe
Mrs V J Gould		G Raybould

R G W Grosvenor		S Sankey
G Hall		A Shrive
P Hudson		D M Spedding
S A Hussain		C Sylvester
A Johnson		
Mrs J A Killoran		
Ms A J Legg		
S McGarry		
S McKiernan		
B G Peters		
Mrs B Toon		
P Walker		
C V Whittaker		
C D Wileman		

03/19 **REPORT OF THE RETURNING OFFICER**

The report of the Returning Officer on the result of the Borough Council Elections held on 2nd May 2019 was received for information.

**NOTED.**

04/19 **ANNOUNCEMENTS**

There were no announcements at the meeting.

05/19 **APPOINTMENT OF LEADER OF THE COUNCIL FOR A FOUR YEAR TERM**

**Resolved:**

That Councillor D Goodfellow be appointed Leader of the Council.

Voting concerning the above decision was as follows:

<b>THOSE VOTING FOR THE MOTION Councillor</b>	<b>THOSE VOTING AGAINST</b>	<b>THOSE ABSTAINING</b>
G Allen		Mrs P L Ackroyd
S Andjelkovic		S A Hussain
E W R Barker		P Walker
Mrs R Brady		C V Whittaker
K J Builth		
A A Chaudhry		
A Clarke		
R A Faulkner		
M T Fitzpatrick		
D Florence-Jukes		
S P Gaskin		
D Goodfellow		
Mrs V J Gould		

R G W Grosvenor		
G Hall		
H Hall		
P Hudson		
A Johnson		
Mrs J Jones		
Mrs J A Killoran		
G H Lamb		
Ms A J Legg		
S McGarry		
S McKiernan		
M Metcalfe		
B G Peters		
G Raybould		
S Sankey		
A Shrive		
D M Spedding		
C Sylvester		
Mrs B Toon		
C D Wileman		

06/19 **APPOINTMENT OF LEADER OF THE OPPOSITION FOR A FOUR YEAR TERM**

**Resolved**

That Councillor M T Fitzpatrick be appointed Leader of the Opposition.

Voting concerning the above decision was as follows:

<b>THOSE VOTING FOR THE MOTION Councillor</b>	<b>THOSE VOTING AGAINST</b>	<b>THOSE ABSTAINING</b>
Mrs P L Ackroyd		
G Allen		
S Andjelkovic		
Mrs B Ashcroft		
E W R Barker		
Mrs R Brady		
K J Builth		
A A Chaudhry		
A Clarke		
R A Faulkner		
M T Fitzpatrick		
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		
A Johnson		
Mrs J Jones		
Mrs J A Killoran		
G H Lamb		
Ms A J Legg		
S McGarry		
S McKiernan		
M Metcalfe		
B G Peters		
G Raybould		
S Sankey		
A Shrive		
D M Spedding		
C Sylvester		
Mrs B Toon		
P Walker		
C V Whittaker		
C D Wileman		

07/19 **APPOINTMENT OF CABINET AND DEPUTY LEADER OF THE COUNCIL**

The Leader informed Council that he had appointed the following Councillors to the Cabinet in accordance with paragraph 6.4 of part 2 of the Constitution:

Councillor G Allen;  
Councillor E W R Barker;  
Councillor R A Faulkner;  
Councillor B G Peters.

Council noted that the Leader had appointed Councillor E W R Barker to be Deputy Leader of the Council. Council also noted that the Leader would be working in conjunction with the Chief Executive and the Monitoring Officer to draft the associated amendments to the Council's Constitution to be submitted to the next Council meeting in June.

Councillor D Goodfellow wished to place on record his thanks to the former Leader of the Council, Councillor R G W Grosvenor and the members of the previous Cabinet for the hard work they had carried out during the previous four years.

08/19 **COUNCIL CONSTITUTION UPDATE**

The report of the Monitoring Officer on the proposed changes to the Council's Constitution was considered. The appendix, Constitution 2019 (Link to the website) had been circulated with the report.

Council noted the proposed changes to the Constitution as follows:

- (1) Part 3H (Planning Committee) – Amend paragraph 3.10 to read “The Councillor chairing the meeting must ensure that all aspects of the site visit are run in a fair and orderly manner.”
- (2) Part 5A (Code of Conduct for Councillors) – Amend paragraph 3.7 on confidential information to clarify the provisions on permitted disclosure.
- (3) 5C (Protocol for Councillor/Officer Relations) – Amend to include a new paragraph 6.3 reflecting the fact that timescales for responding to requests for information apply equally to Officers and Councillors alike.
- (4) 5E (Planning Code of Good Practice for Councillors) – Amend paragraph 9.1 to read “The Code of Conduct for Councillors and this Code of Good Practice apply to all aspects of the site visit, including the time spent on the Committee coach when travelling to and from application sites.

**Resolved:**

- (1) That the amendments to Part 3H, 5A, 5C and 5E as detailed at paragraph 4 of the report be approved;
- (2) That the Constitution as set out in the Appendix of the report be adopted with immediate effect.

Voting concerning the above decision was as follows:

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

S McGarry		
M Metcalfe		
B G Peters		
G Raybould		
S Sankey		
D M Spedding		
C Sylvester		
Mrs B Toon		
C V Whittaker		
C D Wileman		

09/19 **APPOINTMENT OF COMMITTEES**

The report of the Deputy Monitoring Officer on the numbers and allocation of Councillors to serve on committees was considered. Appendix 1: List of Members nominated to serve on Committees and Panels (May 2019) had been circulated prior to the meeting.

Council noted the number of seats relating to individual Committees, as follows:

	Conservative	Labour	Independent Alliance	Total	Notes
Appeals	2	1	0	3	
Audit (Statement of Accounts)	10	4	2	16	
Complaints	2	1	0	3	
Development Plan Committee	3	1	0	4	Runs with a vacancy
Licensing	10	4	1	15	
Planning Applications	10	4	1	15	
VFM and Audit	10	4	2	16	
Scrutiny - SCEG	10	4	2	16	
Snr Officer Emp	3	1	1	5	
Standards	3	1	1	5	
	<b>63</b>	<b>25</b>	<b>10</b>	<b>98</b>	

The political groups had confirmed their nominations to the Committees and Panels, which were set out in Appendix 1 to the submitted report and duly noted by Council. It was noted that Councillor S A Hussain would no longer sit on the Planning Committee and that this Committee would have a vacancy. Following this change, an amended appendix 1 List of Member nominated to serve on Committees and Panels (May 2019) is appended to these minutes.

**Resolved:**

- 1) That the number and allocation of Councillors serving on each Committee and Panel as set out in paragraph 5.2 of the report be agreed;

- 2) That, subject to the above, the nominations of the political groups to the Committees and Panels be noted;
- 3) That, subject to the above, Councillors be appointed to serve on each Committee and Panel in accordance with those nominations.

Voting concerning the above decision was as follows:

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

10/19 **APPOINTMENT OF CHAIRMEN**

**Resolved:**

That the Council approve the appointment of the Members listed below as Chairman of each of the following:

Planning Committee	Councillor G Hall
Licensing Committee	Councillor S P Gaskin
Appeals Panel	Councillor Mrs J A Killoran
Development Plan Committee	Councillor G Allen
Complaints Panel	Councillor E W R Barker
Scrutiny (Audit and Value for Money Council Services) Committee and Audit (Statement of Accounts) Committee	Councillor P Hudson
Scrutiny (Economic Growth, Communities and Health) Committee	Councillor A Johnson
Senior Officer Employment Committee	Councillor D Goodfellow
Standards Committee	Councillor Mrs J A Killoran

Voting concerning the above decision was as follows:

<b>THOSE VOTING FOR THE MOTION Councillor</b>	<b>THOSE VOTING AGAINST</b>	<b>THOSE ABSTAINING</b>
Mrs P L Ackroyd		R G W Grosvenor
G Allen		Mrs J Jones
S Andjelkovic		Mrs B Toon
Mrs B Ashcroft		
E W R Barker		
Mrs R Brady		
K J Builth		
A A Chaudhry		
A Clarke		
R A Faulkner		
M T Fitzpatrick		
D Florence-Jukes		
S P Gaskin		
D Goodfellow		
Mrs V J Gould		
G Hall		
H Hall		

P Hudson		
S A Hussain		
A Johnson		
Mrs J A Killoran		
G H Lamb		
Ms A J Legg		
S McGarry		
S McKiernan		
M Metcalfe		
B G Peters		
G Raybould		
S Sankey		
A Shrive		
D M Spedding		
C Sylvester		
P Walker		
C V Whittaker		
C D Wileman		

11/19

**APPOINTMENT OF MEMBER TO SERVE ON THE HEALTHY STAFFORDSHIRE SELECT COMMITTEE OF THE STAFFORDSHIRE COUNTY COUNCIL**

**Resolved:**

That Councillor A Johnson be appointed to serve on the Health Staffordshire Select Committee of the Staffordshire County Council.

Voting concerning the above decision was as follows:

<b>THOSE VOTING FOR THE MOTION Councillor</b>	<b>THOSE VOTING AGAINST</b>	<b>THOSE ABSTAINING</b>
Mrs P L Ackroyd		
G Allen		
S Andjelkovic		
Mrs B Ashcroft		
E W R Barker		
Mrs R Brady		
K J Builth		
A A Chaudhry		
A Clarke		
R A Faulkner		
M T Fitzpatrick		
D Florence-Jukes		
S P Gaskin		
D Goodfellow		
Mrs V J Gould		
R G W Grosvenor		
G Hall		
H Hall		

P Hudson		
A Johnson		
Mrs J Jones		
Mrs J A Killoran		
G H Lamb		
Ms A J Legg		
S McGarry		
S McKiernan		
M Metcalfe		
B G Peters		
G Raybould		
S Sankey		
D M Spedding		
C Sylvester		
Mrs B Toon		
C V Whittaker		
C D Wileman		

Councillors S A Hussain, M Shrive and P Walker did not indicate how they wished to vote on this item.

12/19

**APPOINTMENT OF MEMBER (AND ALTERNATE MEMBER) TO SERVE ON THE GREATER BIRMINGHAM AND SOLIHULL LOCAL ENTERPRISE PARTNERSHIP (GBSLEP) JOINT SCRUTINY COMMITTEE**

**Resolved:**

- (1) That Councillor S McKiernan be appointed to serve on the GBSLEP Joint Scrutiny Committee;
- (2) That Councillor D Florence-Jukes be appointed to serve on the GBSLEP Joint Scrutiny Committee to deputise for Councillor S McKiernan in her absence.

Voting concerning the above decision was as follows:

<b>THOSE VOTING FOR THE MOTION Councillor</b>	<b>THOSE VOTING AGAINST</b>	<b>THOSE ABSTAINING</b>
Mrs P L Ackroyd		R G W Grosvenor
G Allen		
S Andjelkovic		
Mrs B Ashcroft		
E W R Barker		
Mrs R Brady		
K J Builth		
A A Chaudhry		
A Clarke		
R A Faulkner		
M T Fitzpatrick		
D Florence-Jukes		

S P Gaskin		
D Goodfellow		
Mrs V J Gould		
G Hall		
H Hall		
P Hudson		
A Johnson		
Mrs J Jones		
Mrs J A Killoran		
G H Lamb		
Ms A J Legg		
S McGarry		
S McKiernan		
M Metcalfe		
B G Peters		
G Raybould		
S Sankey		
D M Spedding		
C Sylvester		
Mrs B Toon		
C V Whittaker		
C D Wileman		

Councillors S A Hussain, M Shrive and P Walker did not indicate how they wished to vote on this item.

13/19 **DATES OF COUNCIL MEETINGS**

**Resolved:**

That Council meetings be held on the following dates during the 2019/20 municipal year:

- 24<sup>th</sup> June 2019;
- 2<sup>nd</sup> December 2019;
- 24<sup>th</sup> February 2020;
- 23<sup>rd</sup> March 2020;
- 15<sup>th</sup> May 2020 (Annual Council meeting - to be held at 6pm)

Voting concerning the above decision was as follows:

<b>THOSE VOTING FOR THE MOTION Councillor</b>	<b>THOSE VOTING AGAINST</b>	<b>THOSE ABSTAINING</b>
Mrs P L Ackroyd		
G Allen		
S Andjelkovic		
Mrs B Ashcroft		
E W R Barker		
Mrs R Brady		
K J Builth		

A A Chaudhry		
A Clarke		
R A Faulkner		
M T Fitzpatrick		
D Florence-Jukes		
S P Gaskin		
D Goodfellow		
Mrs V J Gould		
R G W Grosvenor		
G Hall		
H Hall		
P Hudson		
A Johnson		
Mrs J Jones		
Mrs J A Killoran		
G H Lamb		
Ms A J Legg		
S McGarry		
S McKiernan		
M Metcalfe		
B G Peters		
G Raybould		
S Sankey		
D M Spedding		
C Sylvester		
Mrs B Toon		
C V Whittaker		
C D Wileman		

Councillors S A Hussain, M Shrive and P Walker did not indicate how they wished to vote on this item.

14/19 **URGENT BUSINESS**

There was no urgent business for consideration at the meeting.

15/19 **QUESTIONS**

No questions had been received prior to the meeting pursuant to Rule 18.

16/19 **APPOINTMENT OF MAYOR**

It was moved by Councillor B G Peters and seconded by Councillor Mrs J A Killoran and

**Resolved:**

That Councillor Colin Wileman be elected the twenty eighth Mayor of the Borough of East Staffordshire until the Annual Meeting in May 2020.

Voting concerning the above decision was as follows

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

Councillors S A Hussain and M Shrive did not indicate how they wished to vote on this item.

The Mayor gave his speech of thanks and intentions during his year of office and announced that Ms Jean Hiatt would be his Mayoress, Reverend Stanley Monkhouse would be his Chaplain and Corporal Oliver Thexton would be his cadet.

17/19

#### **APPOINTMENT OF DEPUTY MAYOR**

It was moved by Councillor R G W Grosvenor and seconded by Councillor G Hall and

**Resolved:**

That Councillor Mrs P L Ackroyd be appointed the Deputy Mayor of the Borough of East Staffordshire until the Annual Meeting in May 2020.

Voting concerning the above decision was as follows:

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

Councillors S A Hussain and M Shrive did not indicate how they wished to vote on this item.

(At this point the Mayor, Mayoress, Deputy Mayor, Deputy Mayors consort, Past Mayor, Past Mayoress, accompanied by the Chief Executive, left the Council Chamber in order to robe and chain. Upon returning to the Council Chamber, the Mayor and Deputy Mayor subscribed their respective Declarations of Acceptance of Office as required by law, and the Mayor occupied the Chair).

18/19 **VOTE OF THANKS TO THE RETIRING MAYOR AND MAYORESS**

It was moved by Councillor D Goodfellow, duly seconded and

**Resolved:**

“That we, the Council record our sincere appreciation of the excellent manner in which Mr Chris Smith has carried out his duties as the Mayor of the Borough of East Staffordshire over the last year, and we acknowledge the interest he has shown in the welfare of all parts of the Borough.

We would particularly acknowledge his work with voluntary, charitable and sporting bodies.

We also wish to place on record our thanks to Mr Chris Smith for representing the Council at approximately 130 events during his year of office.

We also thank the Mayoress, Mrs Jane Smith for her help and support she has so readily given him during his year of office”.

At this juncture Councillor S McKiernan left the meeting.

Voting concerning the above decision was as follows:

<b>THOSE VOTING FOR THE MOTION Councillor</b>	<b>THOSE VOTING AGAINST</b>	<b>THOSE ABSTAINING</b>
Mrs P L Ackroyd	A A Chaudhry	S A Hussain
G Allen		A Shrive
S Andjelkovic		P Walker
Mrs B Ashcroft		
E W R Barker		
Mrs R Brady		
K J Builth		
A Clarke		
R A Faulkner		
M T Fitzpatrick		
D Florence-Jukes		
S P Gaskin		
D Goodfellow		
Mrs V J Gould		
R G W Grosvenor		
G Hall		
H Hall		
P Hudson		
A Johnson		
Mrs J Jones		

Mrs J A Killoran		
G H Lamb		
Ms A J Legg		
S McGarry		
M Metcalfe		
B G Peters		
G Raybould		
S Sankey		
D M Spedding		
C Sylvester		
Mrs B Toon		
C V Whittaker		
C D Wileman		

At this juncture Councillor S McKiernan returned to the meeting.

The Mayor then presented Mr Chris Smith with a Past Mayor's badge and Mrs Jane Smith with a Past Mayoress's badge.

Mr Chris Smith replied suitably.

19/19 **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 was 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.

**Mayor**