

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 25th February 2019

Present:

Councillor C Smith (Mayor) in the Chair

| | | |
|-------------|------------------|----------------------------|
| Councillors | G Allen | S A Hussain |
| | S Andjelkovic | Mrs J F Jessel |
| | E W R Barker | R Johnston |
| | M J Bowering | C B Jones |
| | K J Builth | Mrs J Jones |
| | A A Chaudhry | Mrs J A Killoran |
| | R J Clarke | D C Leese |
| | R A Faulkner | Ms A J Legg |
| | M Fitzpatrick | G E Marjoram |
| | D F Fletcher | S McGarry |
| | D Florence-Jukes | S McKiernan |
| | D Goodfellow | L G Milner |
| | Mrs V J Gould | B G Peters |
| | R G W Grosvenor | Mrs B Toon |
| | G Hall | P Walker |
| | H Hall | C V Whittaker |
| | P Hudson | C D Wileman (Deputy Mayor) |

Officers Present:

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

Apologies for absence were received from Councillors Mrs P L Ackroyd, S P Gaskin and A Johnson.

274/19 DECLARATIONS OF INTEREST

Councillor A A Chaudhry declared an interest in respect of minute numbers 279/19 and 284/19, as he owned property on High Street, located opposite Bargates. Councillor A A Chaudhry remained in the meeting for these items, but he did not take part in the debate or vote thereon.

275/19 MINUTES

The minutes of the meeting of the Borough Council held on 3rd December 2018 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 S Andjelkovic | Councillor E W R Barker | Councillor C V Whittaker |
| Councillor M J Bowering | | |
| Councillor K J Builth | | |
| Councillor A A Chaudhry | | |
| Councillor R J Clarke | | |
| Councillor R A Faulkner | | |
| Councillor M T Fitzpatrick | | |
| Councillor D F Fletcher | | |
| Councillor D Florence- Jukes | | |
| Councillor D Goodfellow | | |
| Councillor Mrs V J Gould | | |
| Councillor R G W Grosvenor | | |
| Councillor G Hall | | |
| Councillor H Hall | | |
| Councillor P Hudson | | |
| Councillor S A Hussain | | |
| Councillor Mrs J F Jessel | | |
| Councillor R A Johnston | | |
| Councillor C B Jones | | |
| Councillor Mrs J Jones | | |
| Councillor Mrs J A Killoran | | |
| Councillor D C Leese | | |
| Councillor Ms A J Legg | | |
| Councillor G E Marjoram | | |
| Councillor S McGarry | | |
| Councillor S McKiernan | | |
| Councillor L G Milner | | |
| Councillor B G Peters | | |
| Councillor C Smith | | |
| Councillor Mrs B Toon | | |
| Councillor P Walker | | |
| Councillor C D Wileman | | |

The minutes of the Extraordinary meeting of the Borough Council held on 21st December 2018 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 S Andjelkovic | | Councillor A A Chaudhry |
| Councillor E W R Barker | | Councillor R A Faulkner |
| Councillor M J Bowering | | Councillor D Goodfellow |
| Councillor K J Builth | | Councillor Mrs J A Killoran |
| Councillor R J Clarke | | Councillor Ms A J Legg |
| Councillor M T Fitzpatrick | | Councillor G E Marjoram |
| Councillor D F Fletcher | | Councillor S McGarry |
| Councillor D Florence-Jukes | | Councillor L G Milner |

| | | |
|----------------------------|--|-----------------------|
| Councillor Mrs V J Gould | | Councillor Mrs B Toon |
| Councillor R G W Grosvenor | | |
| Councillor G Hall | | |
| Councillor H Hall | | |
| Councillor P Hudson | | |
| Councillor S A Hussain | | |
| Councillor Mrs J F Jessel | | |
| Councillor R A Johnston | | |
| Councillor C B Jones | | |
| Councillor Mrs J Jones | | |
| Councillor D C Leese | | |
| Councillor S McKiernan | | |
| Councillor B G Peters | | |
| Councillor C Smith | | |
| Councillor P Walker | | |
| Councillor C V Whittaker | | |
| Councillor C D Wileman | | |

276/19 **ANNOUNCEMENTS**

There were no announcements at the meeting.

277/19 **URGENT BUSINESS**

At this juncture Councillor G Allen entered the meeting.

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 D Florence-Jukes and read as follows:

“The announcement that Burtons Citizen Advice Centre is to close its doors after decades of providing free vital advice and support to thousands of our residents is a truly devastating blow to our Borough. Citizens Advice Mid Staffordshire states they can no longer secure enough funding to continue operating the Burton and Tamworth branches.

The services provided by Citizens Advice are wide ranging and include advice and support on debt and money, housing, law and the courts, health, employment, benefits, immigration and much more. All advice is free, impartial and completely confidential. They provide a vital service to thousands of our residents, many of whom have no access to other help and are therefore totally reliant on Citizens Advice for much needed help and support.

Members will be aware of a previous decision taken by this Council to cease funding the Burtons Citizen Advice and must therefore accept that decision has contributed to the financial position the organisation now finds itself in.

This Council must now do the right thing for the people we represent and reinstate the funding to this much needed service provider. In addition, this Council must pledge to lobby Staffordshire County Council to also provide funding to Burton Citizen Advice and provide them with a lifeline to continue operating”.

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

The motion was duly moved and seconded.

Councillor K J Builth declared an interest in this matter as he was involved in a charity which provided a service to the Citizens Advice Centre. He left the meeting whilst this matter was discussed.

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

In accordance with the voting, the Mayor declared the motion defeated.

Voting concerning the above decision was as follows:

| THOSE VOTING FOR THE MOTION | THOSE VOTING AGAINST | THOSE ABSTAINING |
|------------------------------------|-----------------------------|-------------------------|
| Councillor S Andjelkovic | Councillor G Allen | |
| Councillor A A Chaudhry | Councillor E W R Barker | |
| Councillor R J Clarke | Councillor M J Bowering | |
| Councillor M T Fitzpatrick | Councillor R A Faulkner | |
| Councillor D F Fletcher | Councillor D Goodfellow | |
| Councillor D Florence-Jukes | Councillor Mrs V J Gould | |
| Councillor H Hall | Councillor R G W Grosvenor | |
| Councillor S A Hussain | Councillor G Hall | |
| Councillor R A Johnston | Councillor P Hudson | |
| Councillor C B Jones | Councillor Mrs J F Jessel | |
| Councillor Ms A J Legg | Councillor Mrs J Jones | |
| Councillor S McKiernan | Councillor Mrs J A Killoran | |
| Councillor P Walker | Councillor D C Leese | |
| | Councillor G E Marjoram | |
| | Councillor S McGarry | |
| | Councillor L G Milner | |
| | Councillor B G Peters | |
| | Councillor C Smith | |
| | Councillor Mrs B Toon | |
| | Councillor C V Whittaker | |
| | Councillor C D Wileman | |

278/19 **MONITORING OFFICER'S ANNUAL REPORT**

The report of the Monitoring Officer on the annual review of the arrangements for the discharge of the Monitoring Officer's duties and proposals for amendments was considered.

The following Appendices had been circulated with the agenda for the meeting:

- Appendix 1: revised Part 3H of the Council's Constitution;
- Appendix 2: revised Part 5E of the Council's Constitution.

Resolved:

- 1) That the report be noted;
- 2) That the changes to Part 3H and 5E of the Constitution as outlined in the report and shown at Appendix 1 and Appendix 2 be approved.

Voting concerning the above decision was as follows:

| THOSE VOTING FOR THE MOTION | THOSE VOTING AGAINST | THOSE ABSTAINING |
|------------------------------------|-----------------------------|-------------------------|
| Councillor G Allen | | |
| Councillor S Andjelkovic | | |
| Councillor E W R Barker | | |
| Councillor M J Bowering | | |
| Councillor K J Builth | | |
| Councillor A A Chaudhry | | |
| Councillor R J Clarke | | |
| Councillor R A Faulkner | | |
| Councillor M T Fitzpatrick | | |
| Councillor D F Fletcher | | |
| Councillor D Florence-Jukes | | |
| Councillor D Goodfellow | | |
| Councillor Mrs V J Gould | | |
| Councillor R G W Grosvenor | | |
| Councillor G Hall | | |
| Councillor H Hall | | |
| Councillor P Hudson | | |
| Councillor S A Hussain | | |
| Councillor Mrs J F Jessel | | |
| Councillor R A Johnston | | |
| Councillor C B Jones | | |
| Councillor Mrs J Jones | | |
| Councillor Mrs J A Killoran | | |
| Councillor D C Leese | | |
| Councillor Ms A J Legg | | |
| Councillor G E Marjoram | | |
| Councillor S McGarry | | |
| Councillor S McKiernan | | |
| Councillor L G Milner | | |
| Councillor B G Peters | | |
| Councillor C Smith | | |
| Councillor Mrs B Toon | | |
| Councillor P Walker | | |
| Councillor C V Whittaker | | |
| Councillor C D Wileman | | |

279/19 **MEDIUM TERM FINANCIAL STRATEGY STATEMENT 2019/20 – 2023/24**

The report of the Head of Service (Sal Khan) on the Medium Term Financial Strategy for the period covering 2019/20 to 2023/24 was considered.

Council noted the contents of the following appendices, which had been circulated previously:

- Appendix A – Detailed Budget Summary 2019/20 – 2020/21-;
- Appendix B - Reserves Forecast;
- Appendix C - Asset Management and Capital Strategy 2019/20.

A Councillor moved the following motion which was duly seconded:

“To approve the Medium Term Financial Strategy 2019/20 to 2023/24, which includes the revenue budget, capital programme and the asset management and capital strategy and to note the level and appropriateness of reserves.”

As required by the Rules of Procedure a named vote was taken as follows

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

In accordance with the voting, the Mayor declared the motion carried.

280/19 **TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY 2019/20**

The report of the Head of Service (Sal Khan) on the Council's Treasury Activities and its Capital Investment Plans was considered. Appendix A – Treasury Management Strategy Statement and Annual Investment Strategy 2019/20 was circulated with the report.

Resolved:

That the Treasury Management Strategy Statement, Minimum Revenue Provision Policy and Annual Investment Strategy 2019/20 be approved.

Voting concerning the above decision was as follows

| THOSE VOTING FOR THE MOTION | THOSE VOTING AGAINST | THOSE ABSTAINING |
|------------------------------------|-----------------------------|-------------------------|
| Councillor G Allen | Councillor S Andjelkovic | |
| Councillor E W R Barker | Councillor K J Builth | |
| Councillor M J Bowering | Councillor A A Chaudhry | |
| Councillor R A Faulkner | Councillor R J Clarke | |
| Councillor D Goodfellow | Councillor M T Fitzpatrick | |
| Councillor Mrs V J Gould | Councillor D F Fletcher | |
| Councillor R G W Grosvenor | Councillor D Florence-Jukes | |
| Councillor G Hall | Councillor H Hall | |
| Councillor P Hudson | Councillor S A Hussain | |
| Councillor Mrs J F Jessel | Councillor R A Johnston | |
| Councillor Mrs J Jones | Councillor C B Jones | |
| Councillor Mrs J A Killoran | Councillor Ms A J Legg | |
| Councillor D C Leese | Councillor S McKiernan | |
| Councillor G E Marjoram | Councillor P Walker | |
| Councillor S McGarry | | |
| Councillor L G Milner | | |
| Councillor B G Peters | | |
| Councillor C Smith | | |
| Councillor Mrs B Toon | | |
| Councillor C V Whittaker | | |
| Councillor C D Wileman | | |

281/19 **COUNCIL TAX SETTING 2019/20**

The report of the Head of Service (Sal Khan) on Setting the Amount of Council Tax for 2019/20 was considered. Councillors noted the following appendices:

- Appendix 12.1 Special Expenses;
- Appendix 12.2 Council Tax Base;
- Appendix 12.3 Calculation of Council Tax and East Staffordshire Borough Council Tax Rates;
- Appendix 12.4 Major Precepts;
- Appendix 12.5 Total Council Tax Rates;
- Appendix 12.6 Local Precepts.

A Councillor moved the following motion which was duly seconded:

“(1) That for the purpose of section 35(e) of the Local Government Finance Act 1992, all expenses incurred by the Council in 2019/20 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 in 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 2019/20, for each of the categories of dwellings shown.”

As required by the Rules of Procedure, a named vote was taken as follows

| THOSE VOTING FOR THE MOTION | THOSE VOTING AGAINST | THOSE ABSTAINING |
|------------------------------------|-----------------------------|-------------------------|
| Councillor G Allen | | |
| Councillor S Andjelkovic | | |
| Councillor E W R Barker | | |
| Councillor M J Bowering | | |
| Councillor K J Builth | | |
| Councillor A A Chaudhry | | |
| Councillor R J Clarke | | |
| Councillor R A Faulkner | | |
| Councillor M T Fitzpatrick | | |
| Councillor D F Fletcher | | |
| Councillor D Florence-Jukes | | |
| Councillor D Goodfellow | | |
| Councillor Mrs V J Gould | | |
| Councillor R G W Grosvenor | | |
| Councillor G Hall | | |
| Councillor H Hall | | |
| Councillor P Hudson | | |
| Councillor S A Hussain | | |
| Councillor Mrs J F Jessel | | |
| Councillor R A Johnston | | |
| Councillor C B Jones | | |
| Councillor Mrs J Jones | | |
| Councillor Mrs J A Killoran | | |
| Councillor D C Leese | | |
| Councillor Ms A J Legg | | |
| Councillor G E Marjoram | | |
| Councillor S McGarry | | |
| Councillor S McKiernan | | |
| Councillor L G Milner | | |
| Councillor B G Peters | | |
| Councillor C Smith | | |
| Councillor Mrs B Toon | | |
| Councillor P Walker | | |

| | | |
|--------------------------|--|--|
| Councillor C V Whittaker | | |
| Councillor C D Wileman | | |

In accordance with the voting, the Mayor declared the motion carried.

282/19 **ELECTION OF MAYOR 2019/20**

The Council received one nomination for the appointment of Mayor 2019/20.

It was proposed and duly seconded that Councillor C D Wileman be nominated for appointment as Mayor at the annual meeting of the Council on 17th May 2019.

Upon a vote being taken the proposal was carried.

Voting concerning the above decision was as follows:

| THOSE VOTING FOR THE MOTION | THOSE VOTING AGAINST | THOSE ABSTAINING |
|------------------------------------|-----------------------------|-------------------------|
| Councillor G Allen | | |
| Councillor S Andjelkovic | | |
| Councillor E W R Barker | | |
| Councillor M J Bowering | | |
| Councillor K J Builth | | |
| Councillor A A Chaudhry | | |
| Councillor R J Clarke | | |
| Councillor R A Faulkner | | |
| Councillor M T Fitzpatrick | | |
| Councillor D F Fletcher | | |
| Councillor D Florence-Jukes | | |
| Councillor D Goodfellow | | |
| Councillor Mrs V J Gould | | |
| Councillor R G W Grosvenor | | |
| Councillor G Hall | | |
| Councillor H Hall | | |
| Councillor P Hudson | | |
| Councillor S A Hussain | | |
| Councillor Mrs J F Jessel | | |
| Councillor R A Johnston | | |
| Councillor C B Jones | | |
| Councillor Mrs J Jones | | |
| Councillor Mrs J A Killoran | | |
| Councillor D C Leese | | |
| Councillor Ms A J Legg | | |
| Councillor G E Marjoram | | |
| Councillor S McGarry | | |
| Councillor S McKiernan | | |
| Councillor L G Milner | | |
| Councillor B G Peters | | |
| Councillor C Smith | | |

| | | |
|--------------------------|--|--|
| Councillor Mrs B Toon | | |
| Councillor P Walker | | |
| Councillor C V Whittaker | | |
| Councillor C D Wileman | | |

283/19 **ELECTION OF DEPUTY MAYOR 2019/20**

The Council received one nomination for the appointment of Deputy Mayor 2019/20.

It was proposed and duly seconded that Councillor Mrs P L Ackroyd be nominated for appointment as Deputy Mayor at the annual meeting of the Council on 17th May 2019..

Upon a vote being taken the proposal was carried.

Voting concerning the above decision was as follows:

| THOSE VOTING FOR THE MOTION | THOSE VOTING AGAINST | THOSE ABSTAINING |
|------------------------------------|-----------------------------|-------------------------|
| Councillor G Allen | | |
| Councillor S Andjelkovic | | |
| Councillor E W R Barker | | |
| Councillor M J Bowering | | |
| Councillor K J Builth | | |
| Councillor A A Chaudhry | | |
| Councillor R J Clarke | | |
| Councillor R A Faulkner | | |
| Councillor M T Fitzpatrick | | |
| Councillor D F Fletcher | | |
| Councillor D Florence-Jukes | | |
| Councillor D Goodfellow | | |
| Councillor Mrs V J Gould | | |
| Councillor R G W Grosvenor | | |
| Councillor G Hall | | |
| Councillor H Hall | | |
| Councillor P Hudson | | |
| Councillor S A Hussain | | |
| Councillor Mrs J F Jessel | | |
| Councillor R A Johnston | | |
| Councillor C B Jones | | |
| Councillor Mrs J Jones | | |
| Councillor Mrs J A Killoran | | |
| Councillor D C Leese | | |
| Councillor Ms A J Legg | | |
| Councillor G E Marjoram | | |
| Councillor S McGarry | | |
| Councillor S McKiernan | | |
| Councillor L G Milner | | |
| Councillor B G Peters | | |
| Councillor C Smith | | |
| Councillor Mrs B Toon | | |

| | | |
|--------------------------|--|--|
| Councillor P Walker | | |
| Councillor C V Whittaker | | |
| Councillor C D Wileman | | |

284/19 **NOTICE OF MOTION**

Councillor D Florence-Jukes had put forward the following motion, in accordance with Rule 14, which had been duly seconded:

“This Council recognises the area of land commonly known as Bargates to be a truly unique and very special site. It occupies a prime riverside location and is situated prominently at the gateway to the Town Centre. The land is of immense historical relevance, being located within an area of medieval /post medieval occupation and surrounded by buildings of historical importance, many of which are listed. With its commanding views of the River Trent and Washlands, it is unequivocally the most prestigious piece of land to be in local public ownership at this time.

This Council notes the extensive public opposition to the planning application submitted by the developer. As well as residents lodging objections either individually or by way of petitions, objections have been received from a number of organisations, including; Historic England, Burton upon Trent Civic Society and Burton Parish Council. Furthermore, there are many Members of this Council who are opposed to the development plans. This Council recognises that Bargates represents a once in a lifetime regeneration opportunity providing the chance to secure the town’s resurgence and create a truly inspiring place to live, work and visit. This Council acknowledges that it is incumbent on all thirty nine Members of this Council to strive for the highest quality redevelopment of this most prestigious site. To secure a project that delivers an outstanding development that will not only benefit residents and visitors for generations to come but one that reflects the prominence and uniqueness of this very special site “

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

Councillor D F Fletcher moved an amendment to the motion which read as follows: “the removal of paragraph 2 and then after the last sentence the addition of “the Council resolves therefore that the final decision on whether to sell the land to a developer will be taken by a vote of the full Council””.

Following a short adjournment, it was

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.

286/19 **QUESTIONS**

No questions had been asked by members pursuant to Rule 18.

Mayor