

EAST STAFFORDSHIRE BOROUGH COUNCIL

Minutes of the Twenty Seventh 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 18th May 2018

Present:

Councillor S Gaskin (Mayor) in the Chair

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

Officers Present:

The Chief Executive, the Heads of Service (Mark Rizk and Sal Khan), the Monitoring Officer (for minute numbers 223/18-234/18 inclusive only), the Deputy Monitoring Officer (for minute numbers 223/18-234/18 inclusive only), the E-Communications Officer (for minute numbers 223/18-234/18 inclusive only) and the Principal Democratic Services Officer.

Apologies for absence were received from Councillors R J Clarke, Mrs J F Jessel, A Johnson, C B Jones and Mrs L Shelton.

223/18 **DECLARATIONS OF INTEREST**

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

224/18 **MINUTES**

The minutes of the meeting of the Borough Council held on 5th March 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 Councillor | THOSE VOTING AGAINST | THOSE ABSTAINING |
|---|-----------------------------|-------------------------|
| Mrs P L Ackroyd | | D Goodfellow |
| G A Allen | | |
| S Andjelkovic | | |
| E W R Barker | | |
| M J Bowering | | |
| K J Builth | | |
| A A Chaudhry | | |
| R A Faulkner | | |
| M Fitzpatrick | | |
| D Fletcher | | |
| D Florence-Jukes | | |
| S Gaskin | | |
| Mrs V J Gould | | |
| R G W Grosvenor | | |
| G Hall | | |
| H Hall | | |
| P Hudson | | |
| S A Hussain | | |
| R A Johnston | | |
| Mrs J Jones | | |
| Mrs J A Killoran | | |
| D C Leese | | |
| Ms A J Legg | | |
| S McGarry | | |
| S McKiernan | | |
| L G Milner | | |
| B G Peters | | |
| C Smith | | |
| Mrs B Toon | | |
| P Walker | | |
| C V Whittaker | | |
| C D Wileman | | |

225/18 **ANNOUNCEMENTS**

There were no announcements at the meeting.

226/18 **CONSTITUTION UPDATE**

The report of the Monitoring Officer on the proposed changes to the Council's Constitution was considered. Appendix 1 – Draft amended Part 4Ab Appendix 2 – Constitution 2018 (Link to the website) had been circulated with the report

Council noted that Part 4Ab (Data Protection Policy should be updated in readiness for the General Data Protection Regulation coming into force on 25th May 2018.

Resolved:

- (1) That the Council approve the amendments to Part 4Ab as detailed at paragraph 4.1 of the report;
- (2) That the Council adopt the Constitution as set out in Appendix 2 of the report, with immediate effect.

Voting concerning the above decision was as follows:

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

227/18 APPOINTMENT OF COMMITTEES

The report of the Deputy Monitoring Officer on the numbers and allocation of Councillors to serve on committees was considered. An amended Appendix 1: List of Members nominated to serve on Committees and Panels (May 2018) had been circulated prior to the meeting and is appended to the minutes.

Council noted the number of Councillors allocated to serve on each Committee and Panel as follows:

| <u>Committee</u> | <u>Conservative</u> | <u>Labour</u> | <u>Liberal Democrat and Independent Group</u> | <u>Total</u> |
|---|---------------------|---------------|---|--------------|
| Appeals Panel | 2 | 1 | 0 | 3 |
| Audit (Approval of Statement of Accounts) Committee | 10 | 4 | 2 | 16 |
| Complaints Panel | 2 | 1 | 0 | 3 |
| Development Plan Committee | 3 | 2 | 0 | 5 |
| Licensing Committee | 10 | 5 | 0 | 15 |
| Planning Committee | 10 | 5 | 0 | 15 |
| Scrutiny Economic Growth Communities and Health Committee | 10 | 5 | 1 | 16 |
| Scrutiny Audit and Value Money Council Services Committee | 10 | 4 | 2 | 16 |
| Senior Officer Employment Committee | 3 | 2 | 0 | 5 |
| Standards Committee | 3 | 2 | 0 | 5 |

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.

Resolved:

- (1) That the number and allocation of Councillors serving on each Committee and Panel as set out above be agreed;

(2) That, subject to the above, Council note the nominations of the political groups to the Committees and Panels;

(3) That, subject to the above, the Council appoint Councillors to serve on each Committee and Panel in accordance with those nominations.

Voting concerning the above decision was as follows:

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

228/18 **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 E W R Barker |
| Licensing Committee | Councillor B G Peters |
| Appeals Panel | Councillor Mrs P L Ackroyd |
| Development Plan Committee | Councillor Mrs J Jones |
| Complaints Panel | Councillor R G W Grosvenor |
| Scrutiny (Audit and Value for Money Council Services) Committee and Audit (Statement of Accounts) Committee | Councillor D Goodfellow |
| Scrutiny (Economic Growth, Communities and Health) Committee | Councillor A Johnson |
| Senior Officer Employment Committee | Councillor R G W Grosvenor |
| Standards Committee | Councillor M J Bowering |

Voting concerning the above decision was as follows:

| THOSE VOTING FOR THE MOTION Councillor | THOSE VOTING AGAINST | THOSE ABSTAINING |
|---|-----------------------------|-------------------------|
| Mrs P L Ackroyd | | |
| G A Allen | | |
| S Andjelkovic | | |
| E W R Barker | | |
| M J Bowering | | |
| K J Builth | | |
| A A Chaudhry | | |
| R A Faulkner | | |
| M Fitzpatrick | | |
| D Fletcher | | |
| D Florence-Jukes | | |
| S Gaskin | | |
| Mrs V J Gould | | |
| D Goodfellow | | |
| R G W Grosvenor | | |
| G Hall | | |
| H Hall | | |

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| P Hudson | | |
| S A Hussain | | |
| R A Johnston | | |
| Mrs J Jones | | |
| Mrs J A Killoran | | |
| D C Leese | | |
| Ms A J Legg | | |
| S McGarry | | |
| S McKiernan | | |
| L G Milner | | |
| B G Peters | | |
| C Smith | | |
| Mrs B Toon | | |
| P Walker | | |
| C V Whittaker | | |
| C D Wileman | | |

229/18 **APPOINTMENT OF MEMBER TO SERVE ON THE HEALTHY STAFFORDSHIRE SELECT COMMITTEE OF THE STAFFORDSHIRE COUNTY COUNCIL**

Resolved:

That this item be deferred until the next meeting.

Voting concerning the above decision was as follows:

| THOSE VOTING FOR THE MOTION Councillor | THOSE VOTING AGAINST | THOSE ABSTAINING |
|---|-----------------------------|-------------------------|
| Mrs P L Ackroyd | | A A Chaudhry |
| G A Allen | | |
| S Andjelkovic | | |
| E W R Barker | | |
| M J Bowering | | |
| K J Builth | | |
| R A Faulkner | | |
| M Fitzpatrick | | |
| D Fletcher | | |
| D Florence-Jukes | | |
| S Gaskin | | |
| D Goodfellow | | |
| Mrs V J Gould | | |
| R G W Grosvenor | | |
| G Hall | | |
| H Hall | | |
| P Hudson | | |
| S A Hussain | | |
| R A Johnston | | |
| Mrs J Jones | | |

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| Mrs J A Killoran | | |
| D C Leese | | |
| Ms A J Legg | | |
| S McGarry | | |
| S McKiernan | | |
| L G Milner | | |
| B G Peters | | |
| C Smith | | |
| Mrs B Toon | | |
| P Walker | | |
| C V Whittaker | | |
| C D Wileman | | |

230/18 **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 F Fletcher 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:

| THOSE VOTING FOR THE MOTION Councillor | THOSE VOTING AGAINST | THOSE ABSTAINING |
|---|-----------------------------|-------------------------|
| Mrs P L Ackroyd | | S McKiernan |
| G A Allen | | |
| S Andjelkovic | | |
| E W R Barker | | |
| M J Bowering | | |
| K J Builth | | |
| A A Chaudhry | | |
| R A Faulkner | | |
| M Fitzpatrick | | |
| D Fletcher | | |
| D Florence-Jukes | | |
| S Gaskin | | |
| D Goodfellow | | |
| Mrs V J Gould | | |
| R G W Grosvenor | | |
| G Hall | | |
| H Hall | | |
| P Hudson | | |
| S A Hussain | | |
| R A Johnston | | |

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| Mrs J Jones | | |
| Mrs J A Killoran | | |
| D C Leese | | |
| Ms A J Legg | | |
| S McGarry | | |
| L G Milner | | |
| B G Peters | | |
| C Smith | | |
| Mrs B Toon | | |
| P Walker | | |
| C V Whittaker | | |
| C D Wileman | | |

231/18 **DATES OF COUNCIL MEETINGS**

Resolved:

That Council meetings be held on the following dates during the 2017/18 municipal year:

- 25th June 2018;
- 3rd December 2018;
- 25th February 2019;
- 4th March 2019;
- 17th May 2019 (Annual Council meeting - to be held at 6pm)

Voting concerning the above decision was as follows:

| THOSE VOTING FOR THE MOTION Councillor | THOSE VOTING AGAINST | THOSE ABSTAINING |
|---|-----------------------------|-------------------------|
| Mrs P L Ackroyd | | |
| G A Allen | | |
| S Andjelkovic | | |
| E W R Barker | | |
| M J Bowering | | |
| K J Builth | | |
| A A Chaudhry | | |
| R A Faulkner | | |
| M Fitzpatrick | | |
| D Fletcher | | |
| D Florence-Jukes | | |
| S Gaskin | | |
| D Goodfellow | | |
| Mrs V J Gould | | |
| R G W Grosvenor | | |
| G Hall | | |
| H Hall | | |
| P Hudson | | |
| S A Hussain | | |
| R A Johnston | | |

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| Mrs J Jones | | |
| Mrs J A Killoran | | |
| D C Leese | | |
| Ms A J Legg | | |
| S McGarry | | |
| S McKiernan | | |
| L G Milner | | |
| B G Peters | | |
| C Smith | | |
| Mrs B Toon | | |
| P Walker | | |
| C V Whittaker | | |
| C D Wileman | | |

232/18 **URGENT BUSINESS**

There was no urgent business for consideration at the meeting.

233/18 **WAIVER OF SECTION 85 (1) LOCAL GOVERNMENT ACT 1972 (6 MONTH COUNCILLOR ATTENDANCE RULE)**

This report had been withdrawn from the meeting.

234/18 **QUESTIONS**

One question had been received prior to the meeting pursuant to Rule 18 from Councillor D Florence-Jukes. The response had been circulated at the meeting and is appended to these minutes.

(At this juncture the Mayor adjourned the meeting to enable Councillors to be seated in the Main Hall).

(Having duly reconvened the meeting in public session in the Main Hall the following business was transacted)

At this juncture Councillors S Andjelkovic, Ms A J Legg and P Walker left the meeting.

235/18 **APPOINTMENT OF MAYOR**

It was moved by Councillor C V Whittaker and seconded by Councillor P Hudson and

Resolved:

That Councillor Chris Smith be elected the twenty seventh Mayor of the Borough of East Staffordshire until the Annual Meeting in May 2019.

Voting concerning the above decision was as follows

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

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| C V Whittaker | | |
| C D Wileman | | |

The Mayor gave his speech of thanks and intentions during his year of office and announced that Mrs Jane Smith would be his Mayoress and Reverend Margaret Sherwin would be his Chaplain and Lance Corporal Brett Marsden from the Army Cadets would be his cadet.

236/18 **APPOINTMENT OF DEPUTY MAYOR**

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

Resolved:

That Councillor C D Wileman be appointed the Deputy Mayor of the Borough of East Staffordshire until the Annual Meeting in May 2019.

Voting concerning the above decision was as follows:

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

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| C V Whittaker | | |
| C D Wileman | | |

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

237/18 **VOTE OF THANKS TO THE RETIRING MAYOR AND MAYORESS**

It was moved by Councillor R G W Grosvenor, duly seconded and

Resolved:

“That we, the Council record our sincere appreciation of the excellent manner in which Councillor Simon Gaskin 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 Councillor S Gaskin for representing the Council at approximately 185 events during his year of office.

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

Voting concerning the above decision was as follows:

| THOSE VOTING FOR THE MOTION Councillor | THOSE VOTING AGAINST | THOSE ABSTAINING |
|---|-----------------------------|-------------------------|
| Mrs P L Ackroyd | | |
| G A Allen | | |
| E W R Barker | | |
| M J Bowering | | |
| K J Builth | | |
| A A Chaudhry | | |
| R A Faulkner | | |
| M Fitzpatrick | | |
| D Fletcher | | |
| D Florence-Jukes | | |
| S Gaskin | | |
| D Goodfellow | | |
| Mrs V J Gould | | |
| R G W Grosvenor | | |
| G Hall | | |
| H Hall | | |
| P Hudson | | |
| S A Hussain | | |

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| R A Johnston | | |
| Mrs J Jones | | |
| Mrs J A Killoran | | |
| D C Leese | | |
| S McGarry | | |
| S McKiernan | | |
| L G Milner | | |
| B G Peters | | |
| C Smith | | |
| Mrs B Toon | | |
| C V Whittaker | | |
| C D Wileman | | |

The Mayor then presented Councillor S Gaskin with a Past Mayor's badge and Mrs Jane Gaskin with a Past Mayoress's badge.

Councillor S Gaskin replied suitably.

Mayor

08/18 **QUESTION FROM COUNCILLOR D FLORENCE-JUKES**

(Bold font denotes question; regular font denotes response from the Leader of the Council)

Following the recent move back to the iconic Town Hall building by East Staffordshire Borough Council after a 7 year period of being located at the Maltsters, I have been contacted by a great many of my residents in Horninglow who are truly outraged and disgusted by the ill-conceived decision taken by this Conservative Controlled Council to move out of the Town Hall, on the pretext of saving the taxpayers of this Borough money, only to return 7 years later, once again on the pretext of saving money. My residents demand to know how much taxpayers money has been wasted on these moves.

Members should be aware that the move to the Maltsters in 2011 and the recent move to the Old Town Hall will deliver ongoing revenue savings of c£0.5m per annum from the current financial year (2018/19). This has been delivered during unprecedented funding reductions to local authorities and enabled the council to keep Council tax frozen thus demonstrating value for money to our residents, despite calls from some councillors to increase tax.

I would ask Councillor Florence-Jukes to justify her insinuation especially the reference to the '*pretext of saving money*', which is bordering on bringing the Council's reputation into disrepute, if she is suggesting there is an ulterior motive.

In the interests of transparency I would also ask the member how many Horninglow residents have contacted her, as to my knowledge there have been no similar queries or issues raised by the other two long-standing Councillors Buith and Johnston, nor have there been from all the other wards across the Borough.

On behalf of the people of Horninglow and all other residents of East Staffordshire, I call upon the Leader of East Staffordshire Borough Council, Councillor Richard Grosvenor, to provide the taxpayers of this Borough with a full and accurate breakdown of the total costs incurred of moving out of the Town Hall in 2011 and into the Maltsters and then out of the Maltsters in 2018 and back into the Town Hall.

In the interests of being open, transparent and accountable, please ensure the breakdown includes *all costs* associated with both moves (in, out, out and in again).

Although not an exhaustive list, costs are *likely* to include; planning fees, consultant and professional fees including, Pozzoni Architects, Appleyard & Trew Quantity Surveyors, Mechanical and Engineering consultancy fees. The cost of the full market tender exercise in selecting companies to carry out the build works to the Town Hall. The refurbishment costs to the Town Hall.

The Cabinet Report into Accommodation which was approved in June 2017 after gaining approval through the cross party working groups and going through the political discussion meetings, and included a detailed cost/savings analysis covering 5 years showing ongoing savings to the revenue budget of £0.23m from 2018/19

onwards as a result of the move to the Old Town Hall. The council received a capital receipt of £1,000,000 in 2014/15 for the sale of the Town Hall Annexe.

The estimated refurbishment costs were set out in the Cabinet Report of June 2017. This figure was £874,739 and included:

| | |
|---|-----------------|
| Main contract to Novus | £692,364 |
| CFS W/C refurbishment costs | £96,625 |
| ICT costs | £65,000 |
| Professional fees includes Architects, Quantity Surveyors, Mechanical Engineering Consultancy | £20,750 |
| Total | £874,739 |

This is consistent with what has been reported in the Quarterly Financial updates to Cabinet and groups. The actual costs are not yet finalised whilst we await final completion certificates and completion of snagging issues.

The EDR signed in March 2017 approved the spend of £48,045 for the feasibility study to move to the Old Town Hall. This included architects and consultants' fees and tender documentation. The actual spend on the feasibility study was £47,100 as follows:

| | |
|---------------------|----------------|
| Pozzoni Architects | £21,000 |
| Patrick Parsons M&E | £11,100 |
| Appleyard & Trew QS | £13,250 |
| Other surveyor fees | £1,750 |
| Total | £47,100 |

Calculations show that between the period 2011/12 – 2022/23 there will be savings to the revenue budget of £4,135,000 as a result of the accommodation moves.

This cost of the full market tender exercise was predominantly officer time which is a sunk cost.

The removal costs for both moves (believed to be £10,510.02 when moving out of the Town Hall in 2011)

2011 £10,510.02

2018 £17,476.65 estimated cost based on quote. Final invoice not yet received.

These amounts include the costs incurred from the contracted removal firms such as labour and crate hire.

All ICT costs including, setting up in the Maltsters followed by the setting up of a server room and the data connections necessary for the move back to the Town Hall.

2011 £88,484

2018 £6,000. There was a further £65,000 included within the contract figure set out above.

Costs for housing the Licensing Team at Millers Lane.

£3,404.50

This figure includes electrical rewiring and carpet cleaning.

Please also include the annual fee for 'empty' business rates which taxpayers were still liable to pay for the periods 2011 – 2018 (believed to be £55,901.50 for 2017/18), Please provide the information as a breakdown in individual costs incurred followed by a total amount

The figure of £55,901.50 was for business rates for the town hall, which includes the accommodation necessary for the civic function suite activities as well as office space. The town hall has never been empty.