

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 6th March 2017.

Present:

Councillor Mrs B Toon (Mayor) in the Chair

Councillors	Mrs P L Ackroyd	Mrs J F Jessel
	Ms S Andjelkovic	A Johnson
	E W R Barker	R Johnston
	M J Bowering	Mrs J Jones
	K J Builth	Mrs J A Killoran
	Mrs R L Carlton	D C Leese
	R J Clarke	Ms A J Legg
	R A Faulkner	Mrs S McGarry
	M T Fitzpatrick	Mrs S McKiernan
	D F Fletcher	L G Milner
	S P Gaskin (Deputy Mayor)	J H Mott
	D Goodfellow	B G Peters
	R G W Grosvenor	C Smith
	G Hall	S Smith
	Mrs H Hall	C V Whittaker
	P Hudson	C Wileman
	S A Hussain	

Officers Present:

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

Apologies for absence were received from Councillors G Allen, A A Chaudhry, C Jones and Mrs L Shelton.

158/17 **DECLARATIONS OF INTEREST**

Councillor D Goodfellow declared a disclosable pecuniary interest in respect of minute numbers 163/17 and 164/17, as close relatives owned property in the area the subject of the Selective Licensing pilot. He left the meeting whilst these items were discussed.

159/17 **MINUTES**

The minutes of the meeting of the Borough Council held on 27th February 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
Mrs P L Ackroyd		Councillor K J Builth
Ms S Andjelkovic		Councillor R A Faulkner

E W R Barker		Councillor D Goodfellow
M J Bowering		
Mrs R L Carlton		
R J Clarke		
M T Fitzpatrick		
D F Fletcher		
S P Gaskin		
R G W Grosvenor		
G Hall		
Mrs H Hall		
P Hudson		
S A Hussain		
Mrs J F Jessel		
A Johnson		
R Johnston		
Mrs J Jones		
Mrs J A Killoran		
D C Leese		
Ms A J Legg		
Mrs S McGarry		
Mrs S McKiernan		
L G Milner		
J H Mott		
B G Peters		
C Smith		
S Smith		
Mrs B Toon		
C V Whittaker		
C Wileman		

160/17 **ANNOUNCEMENTS**

The Chief Executive advised that he had received a resignation from Councillor J H Mott with effect from 13th March 2017. Members and Officers of the Council placed on record their thanks to Councillor J H Mott for the long service he had provided to the Borough Council.

The Mayor invited Councillor M J Bowering (Chairman of the Standards Committee) to speak. Councillor M J Bowering reported on the decision of the Standards Committee at the meeting held on 28th February 2017, following a complaint received about the conduct of Councillor G Allen. The Committee was to report its findings in respect of Councillor Allen's conduct to the Council for information. The Committee found that Councillor G Allen had breached paragraphs 3.1, 3.9 and 3.12 of the Council's Code of Conduct and paragraph 8.1 of the Councils Social Media Policy for Councillors.

The Leader advised that he and Councillor D C Leese would be representing the Council at the Local Government Chronicle Award Ceremony later that week.

The Mayor thanked those Councillors who took part in the walking football match held the previous weekend at St George's Park; she advised that over £200 had been raised for her

charities.

161/17 **URGENT BUSINESS**

There was no urgent business for consideration at the meeting.

162/17 **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) is attached to these minutes.

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

<u>Committee</u>	<u>Conservative</u>	<u>Labour</u>	<u>Liberal Democrat</u>	<u>Total</u>
Appeals Panel	2	1	0	3
Audit Committee	5	2	1	8
Audit (Approval of Statement of Accounts) Committee	5	2	1	8
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 (Healthier Communities and Older People) Committee	5	3	0	8
Scrutiny (Protecting and Strengthening Communities) Committee	5	3	0	8
Scrutiny (Promoting Local Economic Growth) Committee	5	3	0	8
Scrutiny (Value for Money Council Services) Committee	5	2	1	8
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 and they 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 in paragraph 4.2 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:

Those voting for the motion	Those voting against	Those abstaining
Mrs P L Ackroyd		
Ms S Andjelkovic		
E W R Barker		
M J Bowering		
K J Builth		
Mrs R L Carlton		
R J Clarke		
R A Faulkner		
M T Fitzpatrick		
D F Fletcher		
S P Gaskin		
D Goodfellow		
R G W Grosvenor		
G Hall		
Mrs H Hall		
P Hudson		
S A Hussain		
Mrs J F Jessel		
A Johnson		
R Johnston		
Mrs J Jones		
Mrs J A Killoran		
D C Leese		
Ms A J Legg		
Mrs S McGarry		
Mrs S McKiernan		
L G Milner		
J H Mott		
B G Peters		
C Smith		
S Smith		
Mrs B Toon		
C V Whittaker		

C Wileman		
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163/17 **LEADER AND DEPUTY LEADERS' STATEMENTS**

The following Councillors submitted their Annual Statements to Council:-

Leader of the Council	Councillor R G W Grosvenor
Cultural Services	Councillor C V Whittaker
Enterprise and Environment	Councillor Mrs P L Ackroyd
Planning and Neighbourhoods	Councillor Mrs J F Jessel
Programmes and Transformation	Councillor D C Leese
Regulatory Services	Councillor Mrs J Jones

Following questions from Councillors, the statements were received and noted.

Councillor C V Whittaker declared a disclosable pecuniary interest in respect of the Annual Statement of the Deputy Leader (Regulatory Services), as he was a landlord in the Borough and would not partake in any discussions on the subject of Selective Licensing . He left the meeting whilst this item and minute no 164/17 were discussed.

Councillor S Hussain declared a disclosable pecuniary interest in respect of the Annual Statement of the Deputy Leader (Regulatory Services), as close relatives owned property in the area the subject of the Selective Licensing pilot. He left the meeting whilst this matter and minute no 164/17 were discussed.

NOTED

164/17 **CORPORATE PLAN**

The Leader of the Council presented the Corporate Plan 2017-2018, a copy of which had been circulated.

Resolved:

That the Corporate Plan 2017-2018 be approved

Voting concerning this decision was as follows:

Those voting for the motion	Those voting against	Those abstaining
Mrs P L Ackroyd	Ms S Andjelkovic	
E W R Barker	K J Builth	
M J Bowering	R J Clarke	
Mrs R L Carlton	M T Fitzpatrick	
R A Faulkner	D F Fletcher	
S P Gaskin	R Johnston	
R G W Grosvenor	Ms A J Legg	
G Hall	Mrs S McKiernan	
Mrs H Hall	J H Mott	
P Hudson		
Mrs J F Jessel		

A Johnson		
Mrs J Jones		
Mrs J A Killoran		
D C Leese		
Mrs S McGarry		
L G Milner		
B G Peters		
C Smith		
S Smith		
Mrs B Toon		
C Wileman		

165/17 **ANNUAL REPORTS OF CHAIRMEN OF SCRUTINY COMMITTEES**

The following Councillors submitted their Annual Scrutiny Committee reports to the Council:-

East Staffordshire Health	Councillor S Smith
Promoting Local Economic Growth	Councillor A Johnson
Protecting and Strengthening Communities	Councillor C Smith
Value for Money Council Services	Councillor R Faulkner

Following questions from Councillors the reports were received and noted.

NOTED

166/17 **QUESTIONS**

Questions received by the proper officer had been circulated at the meeting. A copy of the questions is appended to these minutes.

Mayor

COUNCIL MEETING 6TH MARCH 2017

03/17 Question from Councillor A A Chaudhry

Can the Deputy Leader confirm that there are no ESBC and its contractors' employees on zero hour contracts?

Response by the Deputy Leader (Cultural Services)

There are a number of 'casuals' employed by ESBC, currently 174 individuals are engaged on 'as required contracts'. These members of staff are predominately employed in the leisure area, with the largest number employed as leisure attendants, swimming teachers and sports development coaches. A full list of the casual roles at ESBC is shown below. Use of zero hours contracts allow the organisation to respond quickly to apply resources efficiently according to business and customer needs. Some of the casuals work rarely i.e. they are students who return back to East Staffordshire during holiday periods to work on the school holiday programmes. Others work more regularly e.g. Centre attendants at the Leisure Centres but with irregular hours according to both business need and personal availability e.g. students who may be at College/school during the day; others have more regular patterns according to coaching/class/events timetabling but do not work all year round. It is also worth noting that many contracted staff are also 'multi posted' so they may have a contract of employment to work as an attendant but also cover other roles such as swimming teaching, fitness instructing or reception on a casual basis. Unlike some 'zero hours' employees in other organisations, our casuals are able to enjoy most of the benefits of being an ESBC employee, including access to an appraisal each year, the ability to join the LGPS and paid holidays (based on average hours worked). It is common practice in the leisure industry for individuals to be employed as casuals, as these arrangements suit both the employer and employee well.

A random selection of our contractors have been approached and this exercise has shown that none of these staff are employed on zero hours contracts.

2ND HALF TUTOR

ACTIVE ADULTS TUTOR - CRAFT

CAS DUTY SUPERVISOR- CIVIC

CAS FITNESS ROOM INSTRUCTOR

CASUAL ADMINISTRATION - MAYORS

CASUAL AEROBICS INSTRUCTOR

CASUAL ASST COACH LEVEL 1

CASUAL CATERING ASSISTANT

CASUAL CENTRE ATTENDANT

CASUAL CHAUFFEUR/ATTENDANT
CASUAL CLERICAL - ELECTIONS
CASUAL CRECHE ASSISTANT
CASUAL CRECHE SUPERVISOR
CASUAL DANCE TUTOR
CASUAL FITNESS INSTRUCTOR
CASUAL GYMNASTICS COACH
CASUAL MLC COACH
CASUAL MULTIMEDIA PROJECT OFFICER
CASUAL RECEPTIONIST
CASUAL RLSS POOL ASSESSOR
CASUAL SLC ASSISTANT COACH
CASUAL SLC COACH
CASUAL SPORTS ASSISTANT
CASUAL SPORTS LEADER
CASUAL SWIMMING INSTRUCTOR
CASUAL ULC COACH
CASUAL WORKSHOP ASST TUTOR
CASUAL WORKSHOP TUTOR
CEMETERY ORGANIST
CHAUFFEUR/ATTENDANT/MACEBEARER

04/17 **Question from Councillor A A Chaudhry**

The Leisure Pass Scheme is available for people in receipt of a range of benefits. However this facility has been withdrawn for people on working tax credits. Could the Deputy Leader reconsider and re-instate the Leisure Pass Scheme for people in receipt of working tax credits?

Response by the Deputy Leader (Cultural Services)

The Leisure Pass Scheme provides 'reduced entry' charges for residents in receipt of

the following benefits:

- Registered disabled, PiP at higher level, receiving incapacity benefit, employment support allowance, disability working allowance, disability living allowance.
- Carers Allowance (evidence award letter required), a person caring for individuals claiming the above benefits will be entitled to full use of the Leisure Pass at any time.
- Housing Benefit, job seekers allowance, receiving income support, receiving reduced council tax and dependents of the latter (evidence via awards letter required)
- Full time student, 17 years old undertaking more than 8 hours core studies per week. (evidence from school needed)
- Foreign student, 17 years old undertaking more than 8 hours core studies per week. Out of borough £5 fee will apply. (evidence from place of study needed)
- Work based learning 'Non-employed only': Letter from employer/learning provider.
- Group Passes (for day centres and special schools) please ask at reception.

The decision to amend the qualifying benefits and remove Working Tax Credits from the qualifying list was made in response to ongoing difficulties in securing proof of qualification. The leisure pass is valid for a period of 6 months. Receptionists at all issuing centres (MLC, ULC, SLC) had significant difficulties in getting the necessary proof that claimants were still in receipt of the benefit at the time of application. In order to overcome this issue, WTC was replaced with TWO other benefits; Housing Benefit and Council Tax Reduction. Both of these can be easily checked internally through our own Revs and Benefits teams if need be AND given the threshold for qualification for WTC was under £15,000, claimants are highly likely to qualify for either of the benefits that replaced WTC (or indeed one of the other qualifying criteria). The use of these types of benefit as qualifying criteria are better suited to targeting the Borough's lower paid residents. It should be acknowledged that this change occurred in March 2015 under the previous (Labour led) administration. The Leisure Pass scheme is always kept under review.