

COUNCIL

Wednesday, 12th September, 2012

Present:- The Mayor David Becket – in the Chair

Councillors Miss Walklate, Mrs Cornes, Welsh, Mrs Johnson, Studd, Mrs Burnett, Clarke, Mrs Beech, Hambleton, Howells, Cairns, Boden, Matthews, Olszewski, Mrs Hambleton, Wemyss, Wilkes, Mrs Williams, Williams, Mrs Astle, Fear, Hailstones, Mrs Hailstones, Allport, Eagles, Kearon, Taylor.J, Waring, Miss Olszewski, Lawton, Holland, Bailey, Miss Cooper, Jones, Miss Reddish, Robinson, Mrs Shenton, Mrs Simpson, Snell, Sweeney, Tagg, Mrs Bates, White, Miss Mancey, Eastwood, Miss Baker, Mrs Peers, Plant, Stubbs, Taylor.M, Turner and Mrs Winfield

1. APOLOGIES

Apologies were received from Cllr Bannister, Cllr Mrs Heames, Cllr Mrs Heesom and Cllr Cooper.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES

That the minutes of the meeting held on Wednesday 11th July be approved as a correct record.

4. MAYORS ANNOUNCEMENTS

The Mayor welcomed Mr Peter Shore as the Mayors Attendant, Mr Gordon Vernon as Mace Bearer. It was also confirmed that a contractor had now been appointed to act as Mayoral Driver.

The Mayor stated that Derek Myatt was making good progress following his operation. Geoffrey Durham was also making progress following a stroke but was expected to be away from work for a few more months at least.

All Members requested that their good wishes be sent to Geoffrey and Derek.

The Mayor also reported that Cllr James Bannister had been involved in a serious accident and again sent the good wishes of the Council to Cllr Bannister.

The Mayor had spent a lot of time with young people this summer and was very impressed by apprenticeship schemes in the area.

There would be a sponsored walk from Betley to Halmer End on Sunday 23rd September, leaving Betley Village Hall at 10.30am.

There would be a carol service in Betley on 16th December 2012 and the Mayors Ball would be held on 22nd March 2012.

The Mayor also drew Members attention to the Save the Staffords petition that he had recently sent out to all Members. The Mayor thanked Members for the returned petitions and confirmed that 700 signatures had been received to date.

Cllr Jones moved that a card be sent to Geoffrey Durham sending the best wishes of the Council to be signed by the Group Leaders. This was seconded by Cllr Snell.

Cllr Snell moved that a fitting tribute be made to Derek Myatt, this would be organised by Cllr Snell and the Mayor. This was seconded by Cllr Cairns.

Cllr Studd moved that the Councils best wishes be sent to Cllr Bannister, this was seconded by Cllr Miss Mancey.

5. **QUESTIONS FROM MEMBERS**

Cllr Jones had submitted the following question:

'Following the previous administration's plans to improve the public realm for the market and develop the old Sainsbury's site, and given the recent increase in the number of empty units in the Town Centre, what is this present administration planning to do to make use of channels such as the Reporter and the website to promote our Town Centre?'

It was confirmed that a new Town Centre Partnership website would be set up and run by the Partnership.

Cllr Jones raised a supplementary question in relation to other channels of communication that were available such as the Reporter newspaper and questions whether members were aware of these channels.

It was confirmed that the Council was aware of these channels and they would be used where and when appropriate.

Cllr John Taylor submitted a question requesting confirmation from the Portfolio Holder regarding the balance on the usable capital reserve account. The Portfolio Holder for Finance and Budget Management stated that the usable Capital reserve account was £773k and the forecast at year end was 1million.

Cllr Taylor raised a supplementary question and queried whether this was sufficient to meet the Councils needs and questioned the current position with the Icelandic Bank. The Portfolio Holder stated that he would provide a full written response regarding this.

Cllr M Olszewski had submitted a question for the Portfolio Holder for Safer Communities requesting confirmation of the current level of spending allocated for Disabled Grant Facilities and what changes in funding had taken place over the last three years. Cllr Olszewski also asked a supplementary question in relation to the impact that this could have on the Council's statutory requirements.

The Portfolio Holder stated that the level of spending in the previous year had been 750k and this had not been sufficient. Therefore the £83,000 allocated for this year would also not be enough. The Council had a moral and legal responsibility regarding these grants and it was confirmed that applicants could take action against the Council through the ombudsman.

Grants were available up to £30,000 and were aimed at allowing disabled residents to live in their own houses, the Portfolio Holder for Safer Communities stated that this was very important, the Government was in support of the scheme and had not cut it in order to help keep people out of hospital.

The Portfolio Holder stated that the Council faced significant challenges with the ageing population, poor health, increase in disabled residents and increase in grants. The spend for 2010/11 had been £850,000 and it had been thought that £760,000 was insufficient at the time it was set. All applicants this year were on a waiting list. The Government had given Newcastle an additional £67,000 at the start of the year but the previous administration had removed £67,000 from the budget at the last Annual Council. The commitment from the previous year was £677,000.

Cllr Clarke submitted a question requesting clarification as to the budget deficit for the 2011/12 financial year and details as to what had caused this shortfall.

The Portfolio for Finance and Budget Management stated that there was a shortfall of £163,000 which was mainly due to areas such as Income generation, car parking fees and planning applications.

Cllr Clarke asked a further question regarding what provision was in place to make this sustainable. The Portfolio Holder stated that a full breakdown would be provided in writing.

Cllr Johnson had submitted a question to ask what provisions had been made to ensure the Council was a listening Council, taking on board the concerns of local people. The Leader stated that the Council was committed to public events throughout the Borough. Cabinet Panels would be established to provide a robust codified consultation process, protocols were being set up and discussions would be held.

6. CABINET REPORT FROM LEADER OF THE COUNCIL

Cllr Snell presented the Cabinet report from the Leader of the Council. The Leader had written to the LEP regarding the concerns raised at the last meeting in relation to representation on the Board. No response had yet been received but there had been a meeting between leaders on 3rd September where representation had been discussed.

It was noted that there was an error in the Local Plan Consultation and that the date should be 1 October rather 1 November.

Town Centre Partnerships

Cllr Sweeney stated that he had noted the leaflet from Rob Wallace and questioned whether the Council had written any more labour policies for Rob Wallace. The Leader confirmed that there would not be any repetition of this.

Cllr Jones queried what was meant by a Portas Partner Town. The Council had not been successful in its second bid to become a Portas Town but Cllr Snell stated that those who were not chosen had been invited to be partners if they had support from the local MP. The Council would have access to support and resources but not cash. Paul Farrelly has agreed to support this.

Cllr Jones asked a supplementary question regarding when this was likely to happen. Cllr Snell responded that this had not yet been established but it was hoped that it would take effect as soon as possible.

Cllr Howells asked a question regarding what the employment brief was for the Town Centre Manager including the Job Description, targets, budget and whether the cost would be within the £30,000.

Cllr Snell responded that there would be a brief from the Partnership Board and advice from the private sector regarding this. £30,000 would be enough for the rest of the year and discussions were being held regarding obtaining funding for the future. The budget would be discussed around the needs of the partnership not the Council. Targets would be published for Members to scrutinise and to ensure that the Council's contribution was being used effectively. A full written answer regarding this would be provided.

Community Interest Company

Cllr Tagg welcomed Mr Mitchell as Chair, questioned whether there would be a representative from the taxi trade involved and when the CIC would be up and running.

Cllr Snell stated that the Partnership was all but done; the membership had been suggested by Mitchell in consultation with the portfolio holder. Any one could be a member of the strategic board and Cllr Boden would look into the possibility of a member of the taxi trade being included.

Cllr Tagg raised a supplementary question regarding whether the Partnership would be taking on the Council's agenda. Cllr Snell confirmed that the Partnership was aware of the agenda and that processes were in line and would be taken on if all parties were in agreement. Cllr Loades requested assurance that Board had an executive member. Cllr Snell confirmed that a portfolio position had a place on the Board. Cllr Loades further queried whether a report on findings would be made and whether a Chief Executive was to be appointed. Cllr Snell agreed that there would be a written answer to these supplementary questions.

Cllr Loades further requested assurance that the money paid to the CIC was grant money rather than a loan or other financially risky funding. A response to this would be provided in writing.

High Speed 2

Members queried what was meant by softer opposition. Cllr Snell stated that Cabinet had taken on board scrutiny comments regarding High Speed 2 and that the Government had committed to Lichfield thus making it prudent for the Council to dialogue regarding this. Members requested that if it was decided to take this approach it be discussed with the Full Council as Members wanted to be part of the process due to the fact that it was a flat objection last time.

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Cllr Holland stated that he did not think there would be any economic benefits and that there would not be a station built in this area, he questioned what the benefits could be. Cllr Snell stated that the plan would not be endorsed if there were no economic benefits and the Council would revert to a flat objection but this would be discussed with Members first.

Cllr Jones questioned how this approach could show the Council wanted a station or no HS2 it at all. Cllr Snell stated that this was a pragmatic approach not weakness. If the plan showed no benefits then the Council would revert to a strong objection but we were currently in a better negotiating position than just saying no. Cllr Howells queried whether the Leader had considered loss of services if the service was built with no station. Cllr Snell stated that this was a more manoeuvrable position. Cllr Howells added a supplementary regarding whether the Council had received correspondence from Government on this issue. Cllr Snell confirmed that we had.

Cllr Sweeney raised concerns regarding a 2/3rds reduction of services to Stoke and what benefits this could have. Cllr Snell stated that it was too early to ascertain this.

Older People

Cllr Howells expressed concern that this had not been advertised properly and queried whether the Leader was aware that only 10 houses had taken opportunity of it. Cllr Howells requested information on what was planned to increase opportunity. Cllr Snell responded that if any members had more constituents eligible then to please let him know.

Cllr Howells asked why the service had not been advertised in Parish Councils and 1 Stop Shops. Cllr Snell stated that he was keen to explore all ways of communication and that Cllr Howells comments would be noted.

Cllr Miss Cooper queried whether the service would be means tested and whether the Leader thought that the handyman response scheme was effective. Cllr Snell confirmed that the service was means tested as it was an extension of the existing scheme and that £10,000 had to be enough for 200 people. Any complaints regarding the Handyman scheme needed to be taken up with officers. Cllr Robinson requested that the Leader keep Members briefed on the parish communications.

Cllr Cornes queried whether the service included private households. Cllr Snell confirmed that it did. Cllr Cornes further queried whether Aspire property dwellers could benefit from the scheme. Cllr Snell stated that Aspire had a parallel scheme and that a report on this would be circulated.

Cllr Fear asked the Leader whether he welcomed the reduction in red tape; Cllr Snell confirmed that he did. Cllr Fear queried whether there would be new tests and expressed concern that these could lead to upset being caused.

Cllr Snell stated that there would not be new tests and that he believed changes would be to the rolling programme, the Council would continue to be sensitive.

Local Plan Consultation

Cllr Jones requested clarification regarding whether residents were allowed to nominate any site for inclusion. The Leader confirmed that residents could nominate to any site and it would be subject to consideration.

Locality Cabinet

Members queried whether the open sessions would allow questions on any issue or just agenda items. It was confirmed that Cabinet Members would be available for all questions and issues for an hour before the actual Cabinet meeting, in the meeting rules would however apply.

Cllr Robinson queried whether meetings of the Cabinet would to move around the Borough. Cllr Snell confirmed that meetings were already planned for Madeley and Whitmore.

Cllr Howells requested information on the additional cost that locality Cabinet meetings would have. A written answer would be provided regarding this.

7. REPORTS OF THE CHAIRS OF THE OVERVIEW AND SCRUTINY COMMITTEES

Written reports were submitted for meetings of the Overview and Scrutiny Co-ordinating Committee and the Transformation and Resources Overview and Scrutiny Committee. No questions were raised.

The Active and Cohesive Overview and Scrutiny Coordinating Committee had met the previous week and discussed a report produced by the Bateswood Working Group and had requested an update on the allotments review. The Chair also stated that the Committee wanted Cabinet to look into the possibility of re-establishing a school of sport in North Staffordshire as there had been one previously and there were many talented young people in the area deserving of support from the Council.

The Chair of the Cleaner, Greener, Safer Overview and Scrutiny Committee stated that a small working group would be set up to scrutinise the move of Fenton Magistrates court to Newcastle under Lyme.

The Chair of the Health Scrutiny Committee expressed the Committees concerns regarding the apparent lack of a tendering exercise regarding the appointment of an organisation to deliver Local HealthWatch in Staffordshire, the Chair would be reporting back to the County Health Select Committee regarding this.

The Leader requested that the Health Scrutiny Committee keep an eye on the ongoing issues regarding the Accident and Emergency Department in Stafford.

Resolved: That the reports from the Chairs of the Overview and Scrutiny Committees be received.

8. REPORTS OF THE CHAIRS OF THE STATUTORY COMMITTEES

The Chair of the Planning Committee stressed the importance of people submitting their views regarding planning applications even if they thought the outcome a foregone conclusion.

The Planning Committee had raised concerns at the last meeting regarding the City Councils SPD proposals relating to the A500 and the Committee would make these concerns clear to the City Council.

The Chair of the Licensing Committee outlined the meetings of the Licensing Sub Committee that had taken place since the last Full Council meeting.

A briefing note was submitted by the Chair of the Public protection Committee with regards to the delimitation of Hackney Carriage vehicles. Some Members considered that the topic of delimitation should be discussed by Full Council; the Mayor requested that all Members be kept informed of the ongoing situation and if required a written report could be provided.

9. **PROGRESS ON DEFERRED QUESTIONS AND PETITIONS**

Cllr Studd asked a supplementary question following his question regarding the situation with Gatedale Ltd. at the previous meeting. Cllr Studd asked whether a Council representative had met with the receivers and if so would Members be able to be kept informed regarding developments.

The Portfolio Holder for Regeneration, Planning and Town Centres confirmed that there had been such a meeting and that Members would be kept informed.

10. **TREASURY MANAGEMENT ANNUAL REPORT 2011/12**

The Treasury Management Annual Report for 2011/12 was submitted and Members were asked to approve the Actual Prudential Indicators contained within the report.

The Council had adopted the Chartered Institute of Public Finance and Accountancy (CIPFA) Treasury Management Code of Practice. This required an Annual Report to be made to the Council concerning Treasury Management activities after the end of each year. In addition the Prudential Code for Capital Finance required that the Actual Prudential Indicators for the year be reported to and approved by the Council.

The recommendations were moved by Cllr Stubbs and seconded by Cllr Olszewski. The Leader questioned whether all correspondence regarding investment in Heritable Bank would be published and it was confirmed by the Portfolio Holder that this would be the case.

Cllr Howells questioned if the Cabinet were unhappy with the performance of Jubilee 2. It was agreed that a written answer would be provided to this question. It was also thought by some members that the report was too judgemental and political and that some phrases regarding this should be removed.

The recommendations were put to a vote with 30 for, 9 against and 8 abstentions.

Resolved: (a) That the Treasury Management Annual Report for 2011/12 be received.

(b) That the Actual Prudential Indicators contained within the report be approved.

11. **MOTIONS OF MEMBERS**

A motion had been submitted in relation to Regional and Local Public Sector Pay. Cllr Snell moved the motion and it was seconded by Cllr Studd.

An amendment was proposed by Cllr Holland who stated that there were no Government plans as yet only a decision to look at the evidence; therefore it would

not make it harder (as set out in the proposal) for schools and other public services to recruit and retain good quality professionals. Cllr Holland highlighted that this did not mean the Council should not voice concern or write to the suggested recipients. This was seconded by Cllr Sweeney who stated that a debate could not be held when what was proposed was still unknown.

Cllr Jones stated that the Council needed to show that it did not want to change the principles of public sector pay and that a strong message was needed now to head off any future decisions. Many Councillors agreed that pre-emptive action was needed as the possibility was enough to lower morale amongst workers. Other Councillors considered that it would be better to wait and debate the proposals in a considered way once the facts were fully understood.

A vote was taken on the amendment with 12 for and 39 against.

A vote was taken on the original motion with 38 for, 0 against and 12 abstaining.

Resolved: (a) That the Council write to the Chancellor of the Exchequer and Chief Secretary to the Treasury stating this council's opposition to plans for regional and localised public sector pay.

(b) That the Council write to all local MPs outlining concerns about the impact that this policy would have on services and the local economy.

(c) That the Council sign up to the Pay Fair campaign and raise awareness of the implications and risks of this policy locally, regionally and nationally.

12. **RECEIPT OF PETITIONS**

A petition was submitted that had been signed by 418 Bignall End residents regarding the Issues and Options paper. The petition would be presented to the relevant planning officer and an update would be provided at the next meeting of Full Council.

Resolved: That the petition be received and an update provided at the next meeting.

13. **STANDING ORDER 18 - URGENT BUSINESS**

14. **EXCLUSION RESOLUTION**

THE MAYOR DAVID BECKET
Chair