

CANNOCK CHASE COUNCIL

COUNCIL MEETING

WEDNESDAY, 21 JANUARY 2009 AT 4.00 P.M.

COUNCIL CHAMBER, CIVIC CENTRE, BEECROFT ROAD, CANNOCK

Notice is hereby given of the above mentioned meeting of the Council which you are summoned to attend for the purpose of transacting the business set out below:-

- 1. Apologies**
- 2. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members**

To declare any personal or prejudicial interests in accordance with the Code of Conduct and any possible contraventions under Section 106 of the Local Government Finance Act 1992.

Members should refer to the guidance included as part of this agenda.

- 3. Minutes**

To confirm the Minutes of the meeting of the Council held on 10 December 2008 Minute Nos. 58-68 and 69, Page Nos. 45-49 and 50 and of the extraordinary meeting held on 22 December 2008, Minutes Nos. 70-76 and 77, Page Nos. 51-56 and 57.

- 4. Question in Accordance with the Scheme for Receiving Questions from Members of the Public**

The following question has been received from Mr. M. Oakley in accordance with the scheme for receiving questions from members of the public:

"Subject:- Allotment Rent Increase

Introduction.

Section 10(1) Allotments Act 1950 states that Local Authorities do not have an entirely free hand in setting allotment rents, the Local Authority must determine what, *reasonably*, an Allotment holder could be expected to pay and ask that amount, no more and no less.

The Reigate and Banstead High Court judgement established case law on allotment charges being increased by no more than the level of increase in charge of other recreational activities and that there was a right to subsidy and reasonableness.

Question.

The Council has increased rent for allotments by about 400%. If, in the event, the Council decide not to increase the charges for all other recreational activities on an equitable basis, i.e., by a similar proportion, does it realise that it will be acting against the established case law, i.e., it will be acting illegally?"

The Children and Young People Portfolio Leader, Councillor N.K. Stanley, will provide an oral response.

In accordance with the Scheme, Mr. M. Oakley will be permitted to ask one supplementary question.

5. The Chairman's Announcements and Correspondence

6. Questions in Accordance with Rule 8

No questions have been submitted in accordance with Rule 8.

7. Part 1 Minutes of Cabinet, Committees and Panels

To (a) consider reports and determine recommendations and matters referred to the Council for specific determination and (b) receive for information details of resolutions in respect of powers and duties delegated by the Council in Part 1 Minutes of the following Cabinet, Committees, Forums and Panels: -

(a) Cabinet

- (i) 20 November 2008
Minutes 83-100
Page Nos. 39-46 and 48-49

(The recommendations referred to in Minute 97 relating to Draft General Fund Revenue Budget 2009-10 to 2011-12 were approved by Council on 22 December 2008).

(b) Standards Committee

- (i) 25 September 2008
Minutes 3-7
Page Nos. 3-5

(The recommendation referred to in Minute 5 relating to Gifts and Hospitality – A Protocol for Councillors was approved by Council on 10 December 2008).

(c) Planning Control Committee

- (i) 12 November 2008
Minutes 49-58
Page Nos. 28-32
- (ii) 26 November 2008
Minutes 59-62
Page Nos. 33-34
- (iii) 17 December 2008
Minutes 63-68
Page Nos. 17-20

(d) Audit and Governance Committee

- (i) 19 September 2008
Minutes 12-17
Page Nos. 8-12

(e) Licensing & Public Protection Committee

- (i) 29 July 2008
Minutes 4-5
Page No. 4
- (ii) 5 August 2008
Minute 7
Page No. 8

(f) Appeals & Complaints Panel

- (i) 18 August 2008
Minutes 42-43
Page No. 54
- (ii) 4 November 2008
Minutes 45-46
Page No. 63

- (iii) 7 November 2008
Minutes 48-50
Page No. 67
- (g) Cannock Community Forum
 - (i) 1 September 2008
Minutes 7-15
Page Nos. 4-9
- (h) Rugeley & Brereton Community Forum
 - (i) 8 September 2008
Minutes 14-29
Page Nos. 6-15
- (i) Heath Hayes, Norton Canes & Rawnsley Community Forum
 - (i) 2 September 2008
Minutes 9-16
Page Nos. 5-10

8. Notice of Motion Under Rule 6

To consider the following motion submitted by Councillor J. Kraujalis in accordance with Rule 6:

"The Council is requested to re-instate the £5,000 subsidy to allotment holders in the stand still budget for 2009/10 and back dating it to 1st January 2009, thus reducing the rents to individual allotment holders to their original levels. The compensating savings required to implement this change will then form part of the 2009/10 budget process and will be considered by Council at its February Budget Setting meeting".

9. Changes to the Council's Budget and Policy Framework

Report of the Constitution Working Group (Enclosure 9.1 – 9.4)

10. Appointment of Representative to WMLGA Member Development Network

The Council has recently been approached by WMLGA to nominate a Member to be appointed to the WMLGA Member Development Network.

Council is therefore requested to consider the appointment of one representative to this body until the Annual Meeting in May 2009.

11. Exclusion of the Public

The Chairman to propose the following motion:-

"That the public be excluded for the remainder of the meeting because of the likely disclosure of exempt information as defined in Paragraph ? and ?, Part I, Schedule 12A, Local Government

Act, 1972."

12. Part 2 Minutes of Cabinet, Committees, Select Committees and Panels

To (a) consider reports and determine recommendations and matters referred to the Council for specific determination and (b) receive for information details of resolutions in respect of powers and duties delegated by the Council in Part 2 Minutes of the following Cabinet, Committees, Forums and Panels: -

- (a) Cabinet
 - (i) 20 November 2008
Minute 100
Page No. 47

- (b) Licensing and Public Protection Committee
 - (i) 29 July 2008
Minute 6
Page Nos. 5-7
 - (ii) 5 August 2008
Minute 8
Page Nos. 9-10

- (c) Appeals & Complaints Panel
 - (i) 18 August 2008
Minutes 44-45
Page Nos. 55-57
 - (ii) 4 November 2008
Minute 47
Page Nos. 64-66
 - (iii) 7 November 2008
Minute 51
Page No. 68-70

S.G. Brown
Chief Executive

Civic Centre,
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WS11 1BG

13 January 2009

Council Notice 21/01/09

GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS

DEFINITION OF WHAT IS A PERSONAL OR PREJUDICIAL INTEREST

A PERSONAL INTEREST is one where your well-being or financial position, or those of a relative or friend would be affected by the decision.

You automatically have a personal interest if you have given notice in the Register of Members' Interests under Paragraph 14 and 15, e.g. if you are appointed to an outside body by the Council.

A PREJUDICIAL INTEREST is where a member of the public knowing the facts would reasonably regard the interest as so significant that it would prejudice your judgement of the public interest.

PLEASE MAKE IT CLEAR WHETHER IT IS A PERSONAL OR PREJUDICIAL INTEREST.

It would be helpful if, prior to the commencement of the meeting, members informed Legal & Democratic Services Unit of any declarations of interest, of which you are aware. This will help in the recording of the declarations in the minutes of the meeting.

DECLARING INTERESTS AT FULL COUNCIL

The Code of Conduct only requires that personal interests (or personal and prejudicial interests) are declared where the matter to which the interest relates is being considered. Some items will be mentioned in the papers for full Council but are not actually being considered by Full Council. In particular, some items are mentioned as having been dealt with in Cabinet but are not actually mentioned or discussed at full Council. In such circumstances the Monitoring Officer's advice to Members is that there is no need to declare an interest unless the particular matter is mentioned or discussed. As a general rule, Members only need to declare an interest at full Council in the following circumstances:

- Where a matter is before the Council for a decision and/or
- Where the matter in which the Member has an interest is specifically mentioned or discussed at the Council meeting.