

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE COUNCIL
HELD IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK
AT 4.00 P.M., WEDNESDAY, 3 JULY, 2013

PART 1

PRESENT: Councillors:

Grice, Mrs. D. (Chairman)
Pearson, A. (Vice Chairman)

Adamson, G.	Johnson, J.
Alcott, G.	Jones, Ms. J.L.
Allen, F.W.C.	Jones, R.
Allt, Mrs. A.	Kraujalis, J.T.
Anslow, C.	Lovell, A.
Bennett, C.	Mitchell, Mrs. C.
Bernard, Mrs. A.F.	Molineux, G.N.
Bernard, J.D.	Morgan, C.W.J.
Bottomer, B.	Rowley, J.
Cartwright, Mrs. S.	Snape, P.A.
Davies, D.N.	Spicer, Mrs. A.
Davis, Mrs. M.A.	Stretton, Mrs. Z.
Dixon, D.I.	Sutherland, M.
Dudson, A.	Sutton, Mrs.
Fisher, P.	Todd, Mrs. D.M.
Freeman, Miss M.	Todd, R.
Grocott, M.R.	Toth, J.
Holder, M.J.	Whitehouse, Mrs. L.

15. Apologies

Apologies for absence were received from Councillors Ball, G.D.; Gamble, B.; and Gilbert, P.

16. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members

No Declarations of Interests were made in addition to those already confirmed by Members in the Register of Members' Interests.

17. Minutes

A Member questioned if the Minutes were entirely accurate as he considered that some details had been omitted. Officers advised that the Minutes were a record of determinations made and not a verbatim record of the meeting.

RESOLVED:

That the Minutes of the Extra Ordinary Council and the Annual Council meetings held on 22 May, 2013 be approved as a correct record and signed.

18. The Chairman's Announcements and Correspondence

(i) Charity Box

The Chairman reported that the charity collection box was circulating for Members to make a donation to support her chosen charities. The Chairman advised that at the Meetings held on 22 May, 2013 a total of £27.10 was collected, and she thanked Members for their donations.

(ii) Civic Service

The Chairman reminded Members that her Civic Service and Afternoon Tea was to be held on Sunday, 28 July, 2013 at St. Chad's Church, Cannock. Invitations would be sent out later in the week, and she looked forward to seeing them all there.

(iii) Councillor M.R. Grocott

Councillor Grocott advised the Council that he was no longer a member of the Liberal Democrat Party, but intended to continue to represent his Ward as an independent Member.

(iv) Datteln Anniversary Celebrations

Councillor Mrs. Stretton advised that the Council's twin town, Datteln in Germany, was due to celebrate its 100th anniversary. Members agreed that the Council should write to Datteln offering its congratulations on achieving this significant milestone.

19. Question(s) in Accordance with Rule 8

The following question had been submitted under Rule 8 by Councillor M.J. Holder, Deputy Leader of the Council and Crime and Partnerships Portfolio Leader, for the Leader of the Council, which he read out:

"At the Annual Meeting of the Council, Councillor Snape, Leader of the Opposition, during a quite scandalous personal attack on the Leader of the Council, informed the Council as follows:-

'At a recent meeting of the Shadow Cabinet a senior officer of the Council had informed the Shadow Cabinet that no Member of the Labour Group was aware that at least three shops belonging to major national retail brands had closed in Cannock town centre.'

He used this "fact" to attack the abilities of the Administration in general and the Cabinet in particular to manage the affairs of the Council, particularly the regeneration of our town centres.

Would the Leader of the Council share with the Council the results of his investigations into this matter?"

The Leader of the Council provided the following response to the question:

"I thank Councillor Holder for his question which raises serious issues for the Leader of the Opposition.

The claims made by Councillor Snape at the Annual Meeting of the Council were investigated and I am informed by the Chief Executive that at the Shadow Cabinet meeting which took place on 18 March, 2013, there was a discussion on town centre issues, including development of Beecroft Road car park, Portas Fund and Community toilet Scheme. In relation to Portas Funds (Town Centre Business Rates Discount Scheme), the Corporate Director reported that there had been eleven approvals to date of which three were new businesses not previously existing. A Shadow Cabinet Member asked the Corporate Director if he was aware that three national retailers were going to pull out of Cannock Town Centre. The Corporate Director replied that he was not aware.

No part of the question or answer related in any way to Cabinet or Cabinet Members.

I am disappointed that factual information provided by an Officer in good faith has been used by Councillor Snape in this way at a Council meeting.

The whole sorry episode merely goes to show that the Conservative Opposition has now been reduced to trying to mislead the Council and public and putting Council Officers in an embarrassing situation. Councillor Snape should seriously consider his ability to continue as Leader of the Opposition.

The Conservatives have no policies to improve our town centres and this episode shows that they are unfit to be considered as an alternative administration. The electorate clearly agree with this assertion as the Conservative vote in Cannock Chase has fallen year on year since 2011. Long may it continue to do so."

A written copy of the response was given to Councillor Holder for his information.

20. Part 1 Minutes of Cabinet, Committees and Panels

RESOLVED:

That the Part 1 Minutes of the following Cabinet, Committees and Panels be adopted and any recommendations be approved and decisions implemented following the expiry of any call-in period:-

- (a) Cabinet – 21 March and 18 April, 2013
- (b) Planning Control Committee – 27 March and 1, 8 and 29 May, 2013
- (c) Audit and Governance Committee – 26 March, 2013
- (d) Licensing and Public Protection Committee – 14 and 26 March; and 24 May, 2013
- (e) Appeals and Complaints Panel – 20 May, 2013
- (f) Scrutiny Committee – 14 February and 4 March, 2013 (Call-in)
- (g) Health Scrutiny Committee – 11 March, 2013
- (h) Standards Committee – 3 December, 2012
- (i) Joint Parking Committee – 22 January, 2013

Mr. J. Presland - The Leader of the Council requested that a letter be prepared on behalf of the Council and sent to Joss Presland, Waste and Engineering Manager, who was currently unwell, offering best wishes and a speedy return to work.

- (j) Rate Relief Committee – 27 September, 2012
- (k) Cannock Community Forum – 19 March, 2013

Mid Staffs NHS Foundation Trust (Minute 41) – Members were pleased to note that positive interest had been expressed in taking over the running of the hospital by neighbouring NHS Trusts and expanding the range of services offered. There was a general consensus that the future of the hospital concerned everybody in the district and should be a non-political issue; and general criticism of the Trust Special Administrator for the poorly managed last minute cancellation of public meetings, when the meetings themselves had been widely and expensively advertised.

- (l) Heath Hayes, Norton Canes and Rawsley Community Forum – 14 March, 2013
- (m) Hednesford Community Forum – 4 March, 2013
- (n) Rugeley and Brereton Community Forum – 11 March, 2013

21. Recommendation(s) Referred from Cabinet

Consideration was given to the following recommendation to Council considered by Cabinet at its meeting on 20 June, 2013, in respect of:

Allocation of ASDA S.106 Funds

“That Council be recommended to allocate the S106 ASDA funds to the Stadium Development Fund as part of the Council’s Capital Programme for the Budget period.”

RESOLVED:

That the S106 ASDA funds be allocated to the Stadium Development Fund as part of the Council’s Capital Programme for the Budget period.

22. Motion(s) Received Under Rule 6

- (i) Consideration was given to the following Motion submitted under Rule 6 by Councillor J. Toth, which was seconded and debated. (A named vote in respect of the Motion was also requested and supported.):

“Cannock Chase District Council deplores the illegal practice of blacklisting within the construction industry and will, so far as allowed by procurement law, ensure that any company proved to have been involved in unlawful blacklisting practices and not to have indemnified their victims is excluded from tendering for contracts with Cannock Chase District Council.

Furthermore companies proved to have been involved in unlawful blacklisting will not be able to undermine the Councils commitment by undertaking sub-contracting work on behalf of a successful bidder and this will, so far as allowed by procurement law, form part of the terms and conditions.

Companies named by the Information Commissioner as clients of the Company running the construction blacklisting are namely:

Amec Building Ltd	Haden Young
Amec Construction Ltd	Kier Ltd
Amec Facilities Ltd	John Mowlem Ltd -Ex Member
Amec Ind Div	Laing O’Rourke (Laing Ltd)
Amec Process & Energy Ltd	Lovell Construction (UK) Ltd – Ex Member
Amey Construction – Ex Member	Miller Construction Limited – Ex Member
B Sunley & Sons – Ex Member	Morgan Ashurst
Balfour Beatty	Morgan Est
Balfour Kilpatrick	Morrison Construction Group – Ex Member
Ballast (Wiltshire) PLc – Ex Member	N G Bailey
Bam Construction (HBC Construction)	Shepherd Engineering Services
Bam Nuttall (Edmund Nutall Ltd)	Sias Building Services

C B & I	Sir Robert McAlpine Ltd
Cleveland Bridge UK Ltd	Skanska (Kaverna/Trafalgar House Plc)
Costain UK Ltd	SPIE (Matthew Hall) - Ex Member
Crown House Technologies	Taylor Woodrow Construction Ltd – Ex Member
(Carillion/Tarmac Const)	Turriff Construction Ltd –Ex Member
Diamond M & E Services	Tyson Contractors – Ex Member
Dudley Bower & Co Ltd – Ex Member	Walter Llewellyn & Sons Ltd - Ex Member
Emcor (Drake & Scull) - 'Ex Ref'	Whessoe Oil & Gas
Emcor Rail	Willmott Dixon – Ex Member
G Wimpey Ltd – Ex Member	Vinci PLC (Norwest Holst Group).”

Councillor Toth also moved an amendment to the Motion in the form of the following additional sentence:

“If it subsequently comes to light that any companies within the construction industry are proved to be using a blacklist, then these companies will be identified and subject to the treatment above.”

For

Adamson, G.
Alcott, G.
Allen, F.W.C.
Bennett, C.
Bernard, J.D.
Bottomer, B. H.
Cartwright, Mrs. S.M.
Davies, D.N.
Davis, Mrs. M.A.
Dixon, D.I.
Dudson, A.
Fisher, P.A.
Freeman, Miss M.A.
Grice, Mrs. D.
Grocott, M.R.
Holder, M.J.
Johnson, J.P.
Kraujalis, J.T.
Lovell, A.
Mitchell, Mrs. C.
Molineux, G.N.

Against

Abstain

Allt, Mrs. A.
Anslow, C.
Bernard, Mrs. A.F.
Jones, Ms. J.L.
Jones, R.
Snape, P.A.
Sutherland, M.
Sutton, Mrs. H.M.

<u>For</u>	<u>Against</u>	<u>Abstain</u>
Morgan, C.W.J.		
Pearson, A.		
Rowley, J.		
Spicer, Mrs. A.		
Stretton, Mrs. Z.		
Todd, Mrs. D.M.		
Todd, R.		
Toth, J.		
Whitehouse, Mrs. L.		
Total:	30	0
		8

In addition, Councillors Ball, G.D.; Gamble, B.; and Gilbert, P. were absent from the meeting.

RESOLVED:

That:

Cannock Chase District Council deplores the illegal practice of blacklisting within the construction industry and will, so far as allowed by procurement law, ensure that any company proved to have been involved in unlawful blacklisting practices and not to have indemnified their victims is excluded from tendering for contracts with Cannock Chase District Council.

Furthermore companies proved to have been involved in unlawful blacklisting will not be able to undermine the Councils commitment by undertaking sub-contracting work on behalf of a successful bidder and this will, so far as allowed by procurement law, form part of the terms and conditions.

If it subsequently comes to light that any companies within the construction industry are proved to be using a blacklist, then these companies will be identified and subject to the treatment above.

- (ii) Consideration was given to the following Motion submitted under Rule 6 by Councillor G. Adamson, Leader of the Council, which was seconded and debated. (The Leader also requested a named vote in respect of the Motion.):

“This Council condemns the forced academisation of Norton Canes Primary School & Heath Hayes Primary school and fully supports their campaign to avoid this process.

Cannock Chase is an extremely deprived area which relies on the support of its locally run schools, by committed people who have invested their time and energies into their communities. The network of Cannock Chase schools draws on the strengths of all professionals to address factors affecting deprivation so that they can concentrate on school improvement.

It is vital that this network remains in place and is not weakened by the processes of forced academisation which is not the only solution for school improvement, nor is it proven to be effective.

This Council calls upon Staffordshire Council to fully and unequivocally support community maintained schools against forced academisation. Staffordshire County Council has publicly said that 'the decision is down to individual school governing bodies' and neither Governing Body has expressed an interest to take the academy route. They are being forced. It is time for the Council to put words into action and stop Staffordshire schools being forcibly academised."

For

Adamson, G.
Alcott, G.
Allen, F.W.C.
Bennett, C.
Bernard, J.D.
Bottomer, B. H.
Cartwright, Mrs. S.M.
Davis, Mrs. M.A.
Dixon, D.I.
Dudson, A.
Fisher, P.A.
Freeman, Miss M.A.
Grice, Mrs. D.
Grocott, M.R.
Holder, M.J.
Jones, R.
Kraujalis, J.T.
Lovell, A.
Mitchell, Mrs. C.
Molineux, G.N.
Morgan, C.W.J.

Against

Jones, Ms. J.L.
Snape, P.A.
Sutton, Mrs. H.M.

Abstain

Allt, Mrs. A.
Anslow, C.
Bernard, Mrs. A.F.
Davies, D.N.
Johnson, J.P.
Rowley, J.
Whitehouse, Mrs. L.

<u>For</u>		<u>Against</u>		<u>Abstain</u>
Pearson, A.				
Spicer, Mrs. A.				
Stretton, Mrs. Z.				
Todd, Mrs. D.M.				
Todd, R.				
Toth, J.				
Total:	27	3		7

In addition, Councillors Ball, G.D.; Gamble, B.; Gilbert, P.; and Sutherland, M. were absent from the meeting.

RESOLVED:

That:

This Council condemns the forced academisation of Norton Canes Primary School & Heath Hayes Primary school and fully supports their campaign to avoid this process.

This Council calls upon Staffordshire Council to fully and unequivocally support community maintained schools against forced academisation. Staffordshire County Council has publicly said that 'the decision is down to individual school governing bodies' and neither Governing Body has expressed an interest to take the academy route. They are being forced. It is time for the Council to put words into action and stop Staffordshire schools being forcibly academised.

23. Exclusion of the Public

RESOLVED:

That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information as defined in Paragraph(s) 1; 2 and 3, Part 1, Schedule 12A Local Government Act 1972.

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE COUNCIL
HELD IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK
AT 4.00 P.M., WEDNESDAY, 3 JULY, 2013

PART 2

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

RESOLVED:

That the Part 2 Minutes of the following Cabinet, Committees, Select Committees and Panels be adopted and any recommendations be approved and decisions implemented following the expiry of any call-in period:-

- (a) Cabinet – 21 March and 18 April, 2013
- (b) Licensing and Public Protection – 14 and 26 March; and 24 May, 2013
- (c) Appeals and Complaints Panel – 20 May, 2013

25. Electronic Document Management Systems in Local Taxation and Benefits

Consideration was given to the Not for Publication Report of the Head of Finance (Item 11.1 – 11.6 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The provisions of the Council's Contract Procedure Rules are waived and quotations be invited from the two incumbent suppliers, namely Northgate Public Services Limited and Civica UK Limited.
- (B) The Head of Finance, in consultation with the Corporate Improvement Portfolio Leader, be authorised to negotiate and enter into a contract with the supplier submitting the more economically advantageous quotation.

(The meeting closed at 6.40 p.m.)

CHAIRMAN