

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE COUNCIL
HELD IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK
AT 4.00 P.M., WEDNESDAY, 6 NOVEMBER, 2013

PART 1

PRESENT: Councillors:

Pearson, A. (Vice Chairman)

Adamson, G.	Holder, M.J.
Alcott, G.	Johnson, J.
Allen, F.W.C.	Jones, Ms. J.L.
Allt, Mrs. A.	Jones, R.
Anslow, C.	Kraujalis, J.T.
Ball, G.D.	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.
Gamble, B.	Toth, J.
Gilbert, P.	Whitehouse, Mrs. L.
Grocott, M.	

Councillor A. Pearson was in the Chair.

47. Apologies

Apologies for absence were received from Councillor Mrs. D. Grice (Chairman).

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

The following Declarations of Interests were made in addition to those already confirmed by Members in the Register of Members' Interests.

Adamson, G.	Governor of Moorhill Primary School	Personal (Re. Minutes of Rate Relief Committee)
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Mitchell, Mrs. C. Member of BDF Newlife

Personal (Re. Minutes of
Rate Relief Committee)

49. Minutes

RESOLVED:

That the Minutes of the Council meeting held on 25 September, 2013 be approved as a correct record and signed.

50. The Chairman's Announcements and Correspondence

(i) Charity Box

The Vice Chairman advised that the charity collection box was circulating for Members to make a donation to support the Chairman's chosen charities. The Vice Chairman reported that at the meeting held on 25 September, 2013, a total of £28.96 was collected and he thanked Members on behalf of the Chairman for their donations.

(ii) Change to Order of Agenda

The Vice Chairman advised that, following discussion with the Council Solicitor, it had been agreed that Agenda Item 8 (ii) should be considered as a Question on Notice. Accordingly, this item would be moved up the agenda.

51. Question(s) in Accordance with Rule 8

Consideration was given to the following Question submitted under Rule 8 by Councillor J. Toth:

"On Wednesday 3rd July 2013 at the Full Council Meeting the following was resolved:

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.

Since this time developments have taken place which begin the process of compensating workers within the construction industry. Eight large construction firms have announced that they intend to compensate workers who were unlawfully blacklisted and denied work for long periods. Details of the scheme are still awaited but it is intended to make it as simple as possible for any worker with a legitimate claim to access compensation.

The firms have also apologised to the workers whose names were stored in a secret database and for their involvement with The Consulting Association.

The companies are – Balfour Beatty, Carillion, Costain, Kier, Laing O'Rourke, Sir Robert McAlpine, Skanska UK and Vinci. I note that I named these companies, amongst others when I moved this motion at the July Council meeting.

Would the Leader of the Council agree with me that recent developments are to be welcomed and that our Council together with Trade Unions and other campaigners have played their part in making these companies take responsibility for their actions.

Furthermore, would he agree with my disappointment that a number of Conservative Councillors and one lone Liberal Democrat Councillor could not bring themselves to support workers fighting against the injustice of blacklisting.

Finally I am determined that Cannock Chase District Council continues to condemn the practice of blacklisting by construction companies and plays its part in making sure that the other companies apologise and compensate workers.”

RESOLVED:

The Leader responded that he agreed with Councillor Toth that the recent developments to begin the process of compensation for the victims of the deplorable practice of blacklisting was to be welcomed, as were the long overdue apologies.

It was a disgrace that the unlawful practice of blacklisting was used in the first place.

The campaign by trade unions and this, and other, mainly Labour, Councils had certainly played its part in ensuring that the companies involved were finally taking responsibility for their deplorable actions.

It spoke volumes that a large number of Opposition Councillors could not bring themselves to support the campaign, and it would be to their eternal shame.

52. 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 – 22 August and 19 September, 2013

Proposed Land Exchange, Ivy Close, Cannock (Minute 62) – The Leader of the Opposition sought clarification from the Leader of the Council as to who spoke on behalf of the Labour Group on this matter, i.e. was it the Health and Wellbeing Portfolio Leader or others, as differing views had been publicised recently, and what was the Labour Group’s policy in respect of Ivy House. The Leader advised that the Members concerned spoke as individuals, and reminded the Leader of the Opposition that Council had no direct interest in Ivy House, and that the decision to sell it off had been taken by the County Council who owned it.

- (b) Planning Control Committee – 11 September and 2 October, 2013
- (c) Audit and Governance Committee – 20 August, 2013
- (d) Scrutiny Committee – 4 July, 2013
- (e) Joint Parking Committee – 17 July, 2013
- (f) Rate Relief Committee – 27 June, 2013
- (g) Cannock Community Forum – 11 June, 2013

53. Recommendations Referred from Cabinet

Consideration was given to the following recommendation, considered by Cabinet at its meeting held on 19 September, 2013, in respect of:

Update on Rugeley Town Centre Conservation Areas Partnership Scheme

“That Council be recommended to amend the Capital Programme to provide for the expenditure of an additional £100,000 on the Rugeley Conservation Areas Partnership Scheme.”

RESOLVED:

That the Capital Programme be amended to provide for the expenditure of an additional £100,000 on the Rugeley Conservation Areas Partnership Scheme.

54. Motion(s) Received under Rule 6

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

“On 17 October, 2013 Lord Nash, Under Secretary of State for Schools, wrote to the Chairman of the IEB of Norton Canes and Heath Hayes Primary Schools. The letter informed the Chairman that the decision had been made that both schools will become academies from 1 January 2014 (or as soon as possible thereafter) sponsored by REAch2.

The letter refers to “a full, thorough and fair” consultation process and that as part of the consultation process a “public meeting with unions, local councillors and other elected representative” had been held.

This consultation was, in fact, fatally flawed and incompetent. Due to this fact, this Council requests Lord Nash to recall the letter, rescinds the decision in order to hold another consultation on the proposals that will be full, thorough, fair and competent.”

Councillor Adamson moved an amendment to the Motion which was supported by the Mover:

“(b) The Officers consider, including taking external advice if necessary, whether the Secretary of State’s decision is liable to challenge on the basis that the consultation process was flawed.”

For

Against

Abstain

Adamson, G.

Jones, Ms. J.L.

Alcott, G.

Allen, F.W.C.

Allt, Mrs. A.

Anslow, C.

Ball, G.D.

Bennett, C.

Bernard, Mrs. A.F.

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.

<u>For</u>	<u>Against</u>	<u>Abstain</u>
Freeman, Miss M.A.		
Gamble, B.		
Gilbert, P.		
Grocott, M.R.		
Holder, M.J.		
Johnson, J.P.		
Jones, R.		
Kraujalis, J.T.		
Lovell, A.		
Mitchell, Mrs. C.		
Molineux, G.N.		
Morgan, C.W.J.		
Pearson, A.		
Rowley, J.		
Snape, P.A.		
Spicer, Mrs. A.		
Stretton, Mrs. Z.		
Sutherland, M.		
Sutton, Mrs. H.M.		
Todd, Mrs. D.M.		
Todd, R.		
Toth, J.		
Whitehouse, Mrs. L.		
Total:	39	0
		1

In addition, Councillor Mrs. D. Grice was absent from the meeting.

RESOLVED:

That:

- (A) Council should request Lord Nash to recall the letter, and rescind the decision (that both Norton Canes and Heath Hayes Primary Schools will become academies from 1 January, 2014 (or as soon as possible thereafter) sponsored by REAch2), in order to hold another consultation on the proposals that will be full, thorough, fair and competent.

- (B) The Officers considered, including taking external advice if necessary, whether the Secretary of State's decision was liable to challenge on the basis that the consultation process was flawed

55. Compulsory and Intermediate Reviews of Polling Districts, Polling Places and Polling Stations

Consideration was given to a Report of the Chief Executive (Item 9.1 – 9.10 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The review process be noted.
- (B) The (Acting) Returning Officer be granted delegated authority to make changes to polling districts and polling places, as may be required, in between formal reviews.

56. 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) 3, Part 1, Schedule 12A of the Local Government Act, 1972.

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PART 2

57. 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 – 22 August, 2013

(The meeting closed at 4.50 pm.)

CHAIRMAN