

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE COUNCIL
HELD IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK
AT 4:00 P.M., WEDNESDAY, 4 SEPTEMBER, 2019

PART 1

PRESENT: Councillors:

Stretton, Mrs. P.Z., M.B.E. (Chairman)	
Dudson, A. (Vice-Chairman)	
Adamson, G. (Leader)	Layton, Mrs. A.
Alcott, G.	Lyons, Miss O.
Allen, F.W.C.	Martin, Mrs. C.E.
Bennett, C.	Mitchell, Mrs. C.
Boucker, A.S.	Molineux, G.N.
Buttery, M.S.	Newbury, J.A.A.
Cartwright, Mrs. S.M.	Pearson, A.R.
Crabtree, S.K.	Preece, J.P.T.L.
Davis, Mrs. M.A.	Smith, C.D.
Dunnett, Ms. M.J.	Snape, D.J.
Fitzgerald, Mrs. A.A.	Startin, P.D.
Freeman, Miss M.A.	Sutherland, M.
Hewitt, P.M.	Sutton, Mrs. H.M.
Hughes, R.J.	Thompson, Mrs. S.L.
Johnson, J.P.	Todd, Mrs. D.M.
Johnson, T.B.	Wilkinson, Ms. C.L.
Jones, B.	Witton, P.T.
Jones, Mrs. V.	Woodhead, P.E.
Kraujalis, J.T.	

32. Apologies

Apologies for absence were submitted for Councillors P.A. Fisher and Mrs. A.M. Muckley.

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

The following Members declared interests:

Member	Agenda Item	Type
Hughes, R.J.	9(ii). Motions Received Under Council Rule 6	Personal
Lyons, Miss O.	9(ii). Motions Received Under Council Rule 6	Personal
Startin, P.D.	9(i). Motions Received Under Council Rule 6	Personal

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

34. Minutes

RESOLVED:

That the Minutes of the meeting held on 17 July, 2019, be approved as a correct record and signed.

35. Chairman's Announcements and Correspondence

(i) Former Councillor Roy Bagguley

The Chairman advised that, as Members were aware, former Councillor Roy Bagguley passed away on Tuesday, 6 August, ages 89. Roy had served as a Councillor for Cannock Chase for 20 years, and during that time held office of Chairman of the Council twice, between 1986-87 and 1991-92. He was also more recently appointed in 2018 as one of the first Council Aldermen.

The Chairman noted that the Council's thoughts were with Roy's wife and his family and friends at this sad time.

A number of senior Members recounted stories about Roy, both in his service as a councillor and, privately, as a person.

All Members then stood and joined the Chairman in observing a minute's silence as a mark of respect.

(ii) Chairman's Fundraising

The Chairman advised that a collection box was circulating for Members to make a donation to support her fundraising. At the meeting held on 17 July, 2019 a total of £44.00 was received, and she thanked Members for their donations.

(iii) Chairman's Civic Service

The Chairman advised that Members should have received an invitation to her Civic Service and Reception, which were to be held on Sunday, 22 September, 2019 at St. James the Great Parish Church, Norton Canes. Members were requested to reply to the invitation by Friday, 6 September, if they hadn't already done so, in order that adequate arrangements could be made for all those in attendance. She said that she hoped that all would be able to attend and looked forward to welcoming them on the day.

36. Leader's Announcements and Correspondence.

(i) Peer Review

The Leader advised that the LGA's Peer Review team returned to the Council for two days during July to assess what progress had been made since the last full Peer Review in 2016. The full review report had been circulated to Members and staff, and would be published in the public domain this month as part of the 19 September Cabinet papers, along with an accompanying action plan.

The final report identified that the Council was a more confident, ambitious and outward looking organisation than in 2016. Partnership working was a strength, especially with Staffordshire Police, South Staffordshire College and the Local Enterprise Partnerships. Member-Officer relations were also highlighted as very good. The handling of the political uncertainty following the May 2019 elections was applauded.

The team also identified areas the Council needed to consider further: especially how effective the Council was at allocating resources and scarce capacity to the key priorities; risk management thresholds and the workforce development and digital strategies.

Overall this was a very positive outcome and demonstrated what huge progress the Council had made over the past three years. However, there was no room for complacency as there were many challenges to be addressed and ambitions that needed to be delivered in the future to increase prosperity and wellbeing in the District.

(ii) Chase Line

The Leader advised that he had called a public meeting to discuss the performance issues on the Chase Line service since electrification and the new timetable that commenced in May this year. This was especially the termination of services at Hednesford and the alternative bus services on to Rugeley. The meeting was held on Monday, 2 September between 4:30pm and 6:30pm at Cannock railway station. Representatives of West Midlands Trains (the operator), Network Rail (the infrastructure provider) and West Midlands Rail Executive (the franchise holder) were all in attendance, as was the Chair of the Chase Line Rail Promotion Group. Following this, a further public meeting had been called for 13 September, in Rugeley.

Ways of resolving the current issue of the unacceptable level of service were discussed with the rail operator and the Council looked forward to improvements in the service in the near future. Also discussed were long-term solutions to the problems suffered by users. These resulted from changes to the timetables which took the rail industry a long time to implement as they were only allowed to change twice a year. Therefore, the situation may not be resolved until the link to London was removed and services returned to normal. The Council's priority was to get a good and reliable service from Rugeley to Birmingham and it would continue to pursue this aim.

(iii) Brexit

The Leader advised that the Council had had to identify a Lead Officer for Brexit preparations at the request of the new Secretary of State for Housing,

Communities and Local Government, Robert Jenrick, MP. The Managing Director was the nominated Lead. The Government had also allocated further funding to all local authorities; this Council had been allocated £30,000.

The Lead Officer was required to participate in weekly teleconferences / meetings and provide updates to the Regional Lead Chief Executive and to participate in meetings of the Local Resilience Forum. This Council had used some of the additional funding to set up workshops in Cannock and Rugeley, led by the Department of International Trade, to advise local businesses who export, to train in what paperwork and procedures they would need to follow post-Brexit.

(iv) Climate Change Motion at July 2019 Council

The Leader advised that following the debate and decision to declare a Climate Change Emergency, and commit to the vision of carbon neutrality by 2030 at the latest, he had asked Officers to bring forward a report to the Cabinet meeting on 19 September setting out the next stage of the work, which would include a recommendation that Climate Change was adopted as a new Corporate Priority objective in the Council's Corporate Plan. He hoped that, unlike on the last occasion when Members discussed climate change, all Members would feel able to accept that Climate Change was happening and of the need to involve all of our communities in finding the best way forward. The Council was committed to trying to achieve its target of carbon neutrality by 2030.

(v) Future High Streets Fund

The Leader advised that the Council had been unsuccessful in its bid to the most recent bidding round for the fund to regenerate town centres. There were over 300 expressions of interest, which meant almost all local authorities in England had submitted a bid. In Staffordshire, Tamworth Borough Council and Newcastle-under-Lyme Borough Council had been invited to develop business cases in the next stage. There would be a further round of bidding in 2020, and the Council would seek to secure an allocation as part of that process.

(vi) Electoral Review

The Leader advised that the Local Government Boundary Commission had written in June this year to confirm that the Council would be having an electoral review in 2020/21, and invited the Council's views on the timetable for this. Following discussions with the three other Group Leaders, it had been agreed and proposed that the Review would start in autumn 2020, and conclude by the end of 2021/early 2022, with the implementation of any recommendations taking place from May, 2023. Representatives from the Boundary Commission had been invited to present to Group Leaders and relevant Officers on the content of the review, with the hope that this presentation would take place by the end of 2019.

The Leader then advised that a copy of his updates would be circulated to all Members for reference after the meeting.

37. Changes to Membership of Committees etc. 2019/20

The Leader of the Opposition, Councillor Miss O. Lyons, notified Council of changes to membership of the Scrutiny Committees from the Conservative Group for approval by Council (Item 6.1 of the Official Minutes of the Council).

One of the changes nominated a new Vice-Chairman to the Community Scrutiny Committee. Council was asked if there were any other nominations for Vice-Chairman. No other nominations were proposed.

RESOLVED:

That the changes to the Conservative Group's membership of the Scrutiny Committees, as detailed in the schedule at Item 6.1 of the agenda, be approved.

38. Questions Received under Council Procedure Rule 8

No Questions were submitted in accordance with Council Procedure Rule 8.

39. Recommendations Referred from Cabinet, Committees etc.

None received.

40. Motions Received under Council Procedure Rule 6

- (i) Consideration was given to the following Motion, submitted in accordance with Council Procedure Rule 6, by Councillor Mrs. A.A. Fitzgerald, Housing Shadow Portfolio Leader:

“There is a housing crisis at multiple levels in this Country. Not only is there not enough housing stock, but there is not enough housing stock of suitable green standards to help us move to a carbon neutral society. Minimum standards are what is currently achieved with the new homes that are being built, rather than achieving level 6 carbon neutral homes. Whilst recognising the financial challenges, Council housing stock must be made greener and more sustainable. It is acknowledged that some green housing schemes cause challenges for residents therefore progressive and incremental changes will ensure that the Council and residents alike learn how to make the most of the continuous improvements being made. Therefore, this Council moves:

- 1) The current planning policy be put to the relevant Promoting Prosperity Scrutiny Committee to identify ways that it can be made to force greener construction with incremental improvements. This should initially focus on council stock in order to provide tenants with the largest benefit, saving them money on their heating bills and keeping more of their money in their own pockets;
- 2) For there to be an asset/land review to identify all potential sites that a level 6 carbon neutral pilot scheme could be run, with potential residents chosen at random by the Housing department and educated on the systems in the housing to maximise benefits; and
- 3) For a full report on the pilot scheme to be produced and presented to Council 12 months after the first residents move in on the viability of rolling this scheme out across the district.”

It was moved and seconded that the matter should be considered and reported back to Cabinet as part of the Community Scrutiny Committee Task and Finish group's work in response to the Climate Emergency Motion approved at Council on

17 July, 2019.

RESOLVED:

That the matter should be considered and reported back to Cabinet as part of the Community Scrutiny Committee Task and Finish group's work in response to the Climate Emergency Motion approved at Council on 17 July, 2019.

- (ii) Consideration was given to the following Motion, submitted in accordance with Council Procedure Rule 6, by Councillor P.E. Woodhead, Leader of the Green Group:

"Fair Tax Declaration

Full Council notes that:

1. The pressure on organisations to pay the right amount of tax in the right place at the right time has never been stronger.
2. Polling from the Institute for Business Ethics finds that "corporate tax avoidance" has, since 2013, been the clear number one concern of the British public when it comes to business conduct.
3. Almost two-thirds (63%) of the public agree that the Government and local councils should consider a company's ethics and how they pay their tax as well as value for money and quality of service provided, when undertaking procurement.
4. Around 17.5% of public contracts in the UK have been won by companies with links to tax havens.
5. It has been conservatively estimated that losses from multinational profit-shifting (just one form of tax avoidance) could be costing the UK some £7bn per annum in lost corporation tax revenues.
6. The Fair Tax Mark offers a means for business to demonstrate good tax conduct, and has been secured by organisations with a combined annual income of £50bn and more than 6,500 outlets and premises, including many social enterprises and co-operatives.

Full Council believes that:

1. Paying tax is often presented as a burden, but it shouldn't be.
2. Tax enables us to provide services from education, health and social care, to flood defence, roads, policing and defence. It also helps to counter financial inequalities and rebalance distorted economies.
3. As recipients of significant public funding, local authorities should take the lead in the promotion of exemplary tax conduct; be that by ensuring contractors are paying their proper share of tax, or by refusing to go along with offshore tax dodging when buying land and property.
4. Where substantive stakes are held in private enterprises, then influence should be wielded to ensure that such businesses are exemplars of tax transparency and tax avoidance is shunned – e.g. no use of marketed schemes requiring disclosure under DOTAS regulations (Disclosure of Tax Avoidance Schemes) or arrangements that might fall foul of the General Anti-Abuse Rule.
5. More action is needed, however current law significantly restricts councils' ability to either penalise poor tax conduct or reward good tax conduct, when

buying goods or services.

6. UK cities, counties and towns can and should stand up for responsible tax conduct – doing what they can within existing frameworks and pledging to do more given the opportunity, as active supporters of international tax justice.

Full Council resolves to:

1. Approve the Councils for Fair Tax Declaration.
2. Support Fair Tax Week events in the area, and celebrate the tax contribution made by responsible businesses who say what they pay with pride.
3. Support calls for urgent reform of EU and UK law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies.
4. Not use offshore vehicles for the purchase of land or property, especially where this leads to reduced payments of stamp duty.
5. Receive a further report on how the Council can develop an efficient and effective framework to lead by example and demonstrate good practice in our tax conduct to:
 - (a) Ensure contractors implement IR35 robustly and pay a fair share of employment taxes.
 - (b) Undertake due diligence to ensure that not-for-profit structures are not being used inappropriately as an artificial device to reduce the payment of tax and business rates.
 - (c) Demand clarity on the ultimate beneficial ownership of suppliers and their consolidated profit & loss position.
 - (d) Promote Fair Tax Mark certification for any business in which we have a significant stake and where corporation tax is due.”

Councillor R.J. Hughes proposed an amendment to the Motion which was seconded:

“Full Council resolves to:

1. Work towards formulating our own Cannock Chase Council Tax Declaration;
2. Promote the fact that, as an organisation, we are leading by example in terms of transparent tax affairs and implementing responsible internal procedures which demonstrate good practice.
3. Investigate the Council’s use of offshore vehicles and ensure that they are not used for the purchase of land or property, especially where this leads to reduced payments of stamp duty; and
4. Set up a working group, made up of Councillors to review the Council’s tax conduct. This should be formed by the Council’s Corporate Scrutiny Committee. They will review the Council’s current procurement processes and the Council’s due diligence procedures.”

In accordance with Council Procedure Rule 15(4)(a), a named vote was taken on the amendment:

For	Against	Abstain
Boucker, A.S.	Adamson, G.	
Buttery, M.S.	Alcott, G.	
Fitzgerald, Mrs. A.A.	Allen, F.W.C.	
Freeman, Miss M.A.	Bennett, C.	
Hewitt, P.M.	Cartwright, Mrs. S.M.	
Hughes, R.J.	Crabtree, S.K.	
Johnson, J.P.	Davis, Mrs. M.A.	
Jones, B.	Dudson, A.	
Jones, Mrs. V.	Dunnett, Ms. A.J.	
Lyons, Miss O.	Johnson, T.B.	
Molineux, G.N.	Kraujalis, J.T.	
Smith, C.D.	Layton, Mrs. A.	
Startin, P.D.	Martin, Mrs. C.E.	
Sutherland, M.	Mitchell, Mrs. C.	
Sutton, Mrs. H.M.	Newbury, J.A.A.	
Thompson, Mrs. S.L.	Pearson, A.R.	
	Preece, J.P.T.L.	
	Stretton, Mrs. P.Z.	
	Todd, Mrs. D.M.	
	Wilkinson, Ms. C.L.	
	Witton, P.T.	
	Woodhead, P.E.	
17	22	0

In addition, Councillors P.A. Fisher and Mrs. A.M. Muckley were absent from the meeting.

The amendment was not carried, and therefore, the substantive Motion as presented remained unchanged.

RESOLVED:

That the Council:

- (A) Approved the Councils for Fair Tax Declaration.
- (B) Would support Fair Tax Week events in the area, and celebrate the tax contribution made by responsible businesses who say what they pay with pride.

- (C) Supported calls for urgent reform of EU and UK law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies.
- (D) Would not use offshore vehicles for the purchase of land or property, especially where this lead to reduced payments of stamp duty.
- (E) Would receive a further report on how the Council can develop an efficient and effective framework to lead by example and demonstrate good practice in our tax conduct to:
 - (i) Ensure contractors implemented IR35 robustly and paid a fair share of employment taxes.
 - (ii) Undertake due diligence to ensure that not-for-profit structures were not being used inappropriately as an artificial device to reduce the payment of tax and business rates.
 - (iii) Demand clarity on the ultimate beneficial ownership of suppliers and their consolidated profit & loss position.
 - (iv) Promote Fair Tax Mark certification for any business in which we had a significant stake and where corporation tax was due.

41. Comments and Questions on Part 1 Minutes of Cabinet, Committees, Sub-Committees and Panels under Council Procedure Rule 9

No comments or questions on Part 1 Minutes had been submitted in accordance with Council Procedure Rule 9.

42. Annual Treasury Management Report 2018/19

Consideration was given to the Report of the Head of Finance (Item 11.1 – 11.11 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The Annual Treasury Management report for 2018/19 be noted.
- (B) The actual 2018/19 prudential and treasury indicators set out in Appendix 1 of the report be approved.

43. Scrutiny Committees' Annual Reports 2018/19

The 2018/19 Annual Reports of the following Scrutiny Committees were received for information (Item 12.1 – 12.28 of the Official Minutes of the Council):

- Community Scrutiny Committee;
- Corporate Scrutiny Committee;
- Promoting Prosperity Scrutiny Committee;
- Wellbeing Scrutiny Committee.

In respect of items 5.5 and 5.6 (Working Group to review the Policy for Commercial Use of the Highway) of the Promoting Prosperity Scrutiny Committee Annual Report (Item 12.12 of the Council agenda), Members asked:

- (i) Was the Council making a loss operating the scheme, as it was meant to be cost neutral?
- (ii) Was the Portfolio Leader aware of any reported injuries arising from people colliding with 'A' boards?

The Health and Wellbeing Portfolio Leader advised that she did not know the answers but would find out and circulate these to Members.

In respect of items 3.4 (Health in All Policies) of the Wellbeing Scrutiny Committee Annual Report (Item 12.17 of the Council agenda), a Member asked if the matter had yet been to Cabinet for consideration, as requested by the Committee.

The Health and Wellbeing Portfolio Leader advised that she would find out the current situation and a response would be circulated to all Members.

The meeting closed at 5:50 p.m.

CHAIRMAN