

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 AUGUST, 2008

PART 1

PRESENT: Councillors

Ansell, Mrs. P.A. (Chairman)

Beddows, J. (Vice-Chairman)

Alcott, G.	Jillings, J.
Allen, F.W.C.	Jones, R.
Ball, G.D.	Kraujalis, J.T.
Bennett, Mrs. D.J.	Mawle, D.L.
Bennett, K.L.	Molineux, G.N.
Bernard, Mrs. A.F.	Morgan, C.W.J.
Burnett, G.	Pearce, Mrs. L.J.
Burnett, J.	Stanley, N.K.
Carr, I.R.	Stretton, Mrs. P.Z.
Davies, D.N.	Thomas, D.
Davis, Mrs. M.A.	Todd, Mrs. D.M.
Dixon, D.I.	Williams, A.
Easton, Mrs. M.	Williams, B.
Easton, R.	Williams, Mrs. P.
Freeman, M.P.	Yates, Ms. W.
Grice, Mrs. D.	1 Vacancy
Grocott, M.R.	

(Apologies for absence were received from Councillors J. Bernard, L.W. Bullock, M.R. Green M.J. Holder, R.G. Meaden and and C. Mitchell).

Prior to the commencement of the formal business, the Chairman referred to the recent passing away of Councillor Brian Faulkner. As a mark of respect, a two minutes' silence was held. A number of Members paid tribute to Councillor Faulkner and the Council forwarded it's sympathies to his companion Pam Morris, his sister Councillor Wendy Yates and all his friends and family at this sad time.

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

<u>Member</u>	<u>Nature of Interest</u>	<u>Type</u>
Grice, Mrs. D.	Member of Hednesford Town Council	Personal

32. **Minutes**

RESOLVED:

That the Minutes of the meeting of the Council held on 25 June, 2008 be approved as a correct record.

33. **Chairman's Announcements and Correspondence**

(i) Chairman's Charity Collection Box

The Chairman reported that Marie Mears would be leaving the authority after 11 years service and would be starting her new role at the NSPCC towards the end of this month. Marie had asked that any Member who wished to contribute to her leaving collection should instead make a donation to the charity collection box and the Chairman agreed that for this meeting all donations would go to the NSPCC. Members wished Marie all the very best in her new job.

At the meeting held on 25 June 2008 a total of £31.74 was donated and the Chairman thanked Members for their support.

(ii) Chairman's Charity Ball

The Chairman announced that the date for her Charity Ball would be Saturday, 7 March 2009. The theme for the night would be a Carnival, with Salsa dancing and live Latino music. Tickets would be on sale later this year.

During the Ball a raffle will be held and the Chairman requested Members assistance in donating prizes for the raffle. All monies raised would be donated to the Chairman's chosen charities.

(iii) Petition

Councillor J.T. Kraujalis presented a petition on behalf of local residents of Oaks Drive, Cannock regarding allotment rents.

Having received the petition, the Chairman agreed that it be forwarded to the appropriate Cabinet Portfolio Leader to deal with in the usual way.

34. **Question in Accordance with Rule 8**

Councillor F.W.C. Allen asked the following questions of the Leader of the Council in accordance with Rule 8:

Question 1

"At the recent planning inquiry in connection with the closure and proposed sale of Cannock Stadium, the ruling alliance engaged a Queens Counsellor to conduct their case, bearing in mind that the Save Our Stadium team appointed a solicitor paid for by themselves and various donations from members of the public sympathetic to their cause.

Would the appropriate Portfolio Leader care to enlighten us as to the cost of the QC, and if possible any other costs involved which would be borne by the Council and consequently by the ratepayers of the District?"

The Leader of the Council, Councillor N.K. Stanley, provided the following response:

"The first point to make is that it was Council officers who instructed the QC under delegated authority and not the current Cabinet "ruling Alliance". This was a professional judgement based on the complexity of the case rather than a political decision.

The cost of the Council's QC for his work on the Stadium Planning Inquiry was £36,250 (excl VAT). Cannock Chase Council has also had to reimburse Staffordshire County Council the sum of £2,275 in connection with their work on the S106 agreement. So the total legal costs for the Inquiry were £38,525.

This is entirely legitimate expenditure for the Council to make in putting forward its case and defending Council policy to the Planning Inspectorate and the Secretary of State.

In respect of the financing of the Save our Stadium campaign, it is not appropriate for the Council to fund both sides of the argument and this has never been the case with any planning inquiry or planning decision making process which the Council has been involved in.

The major cost to the Council Taxpayers of Cannock Chase Council is the lost interest on the capital sum for the Stadium which is estimated at £80,000 per month and funded from the Council's reserves in 2008/9 financial year."

Question 2

"We now know that the Cannock Stadium closed on July 31st. During the course of the public inquiry, comment was made about consultations between the Council and officials of the Athletics Club.

In the light of this, would the appropriate Portfolio Leader like to comment on the statement made by Mr. Fellows, the Secretary of the Athletics Club that no consultation prior to the decision to close took place and there was no discussion with regard to what facilities the club would have after the closure? It was also stated that Sport England had been consulted. Did this consultation take place before or after the decision was taken to close the facility?

Mr. Fellows also commented that the timing of the closure was both inconvenient and unfortunate as the closure date was halfway through the clubs season."

The Leader of the Council, Councillor N.K. Stanley, provided the following response:

"Firstly, Gary Denning as Chairman of the Cannock and Stafford Athletics Club is the nominated contact that Council officers consistently deal with and not Derek Fellows.

Secondly, Council officers met with Gary Denning and two other Club representatives

including Derek Fellows on the 17 April 2008 to consult with the Club on their requirements for interim arrangements where they identified that an indoor training base in Cannock was their request plus an equipment loan scheme.

Thirdly, the Council was asked if it could confirm in writing by 21 May 2008 whether or not all these requirements could be met so that the Club's Committee could consider these issues. The Council wrote to Gary Denning on 15 May 2008 attaching a detailed Temporary Relocation Scheme which met all the Club's requirements as stated at the meeting on 17 April 2008 for the Club's consideration. The Club wrote in a letter received on 8 July that they have decided to concentrate the Club's activities at Rowley Park Stadium where the Club already train on two nights of the week currently. The Council has put in place an Equipment Loan Scheme at the Club's request and has also agreed to transfer the following items of athletics equipment to Rowley Park Stadium at the Club's request:

- 60 hurdles and 1 hurdle trolley
- 1 set of pole vault uprights
- 1 set of pole vault extensions
- Adult hammers, discus', shot putts and javelins
- Specialist athletics equipment for Disabled athletes

The letter from the Club received on 8 July has raised the possibility of financial help for the Club and this is being actively considered – the Club has been asked to supply details of financial hardship.

Council officers continue to work with Gary Denning as Chairman of the Club to support the Club in the interim period until new facilities become available.

Sport England has been consulted as a statutory body in the planning application and this led to their requirement to include provision for interim arrangements in the Section 106 agreement for Cannock Sports Stadium.

The rationale for 31 July 2008 as the closure date was that the 2007/8 football season would have finished, all school sports days for 2008 would have completed and the outdoor athletics competitions at the Stadium would have completed.

On the latter point, the outdoor athletics competition season normally comes to an end at the end of July. The Stadium has only been used once in the past 4 years for an athletics competition event after the 31 July - this occurred on 3rd August 2006. The decision to close on this date was based on bookings for athletics competitions that have occurred in the past 4 years at Cannock Sports Stadium.

Helpfully, Derek Fellows has confirmed this himself in an Express and Star article (page 7) published on 1 August 2008 where he states that "I am not saying it will happen. We should be OK for now as it is nearly the end of the season. We don't know how it will pan out". Therefore, the 31 July was deliberately chosen as a date which minimises the disruption for all users of the Stadium whether football or athletics or schools."

Question 3

"Would the appropriate Portfolio Leader care to comment about the inquiry itself, and the

total organisational shambles at the outset of the event? Considering that the original intention to hold the inquiry in the Civic Suite was shelved at the last moment, and the venue changed to the Council Chamber. Would he like to comment on why there was insufficient seating for the public, why there was no initial microphone provision so that people could hear what was being said, and lastly for an occasion referred to as a public inquiry, why was there no signage whatsoever provided for the guidance of the general public? Indeed, throughout the four days of the inquiry this continued to be the case."

The Leader of the Council, Councillor N.K. Stanley, provided the following response:

"Councillor Allen overstates the problems that occurred on the first morning of the Inquiry and is factually incorrect in claiming that the venue for the Inquiry was changed to the Council Chamber from the Civic Suite.

It has always been the intention to hold the Inquiry in the Council Chamber; this is evidenced by the letter sent to local residents in May 2008 notifying them of the date and venue of the Inquiry.

The guidance from the Planning Inspectorate identifies Council chambers as one of the more suitable venues for an inquiry.

The particular advantage of the Council Chamber is that it can be locked and made secure overnight so that documents do not have to be moved out of the venue each evening.

A microphone system was installed by lunchtime of the first day of the inquiry but was not regularly used thereafter. This was replaced fully on the second day due to a technical fault. The hearing loop system installed in the Council Chamber was available.

On the seating issue, the types of seats in a large part of the Chamber were changed the day before the Inquiry so that 20 additional seats could be accommodated for the public. On the first morning, 12 people were without a seat and at the first break, 12 chairs were brought into the Chamber but were not used fully.

The Inspector regularly invited member of the public who claimed to have difficulty in hearing what was being said to move to the seats at the front but nobody took this up.

For the remainder of the Inquiry, there were no seating problems and there were plenty of empty seats for the remaining 3 days.

On the issue of signage, the venue was advertised in the local paper as the Civic Centre and members of the public were directed from the main reception at the front of the Building through to the Council Chamber. This worked well through the 4 days of the Inquiry.

The most important point is that the Inspector was happy with the venue; he had the power to adjourn the Inquiry until a more suitable venue was found if he considered it appropriate to do so. In this case the seating issue was addressed in the first morning break and was never an issue thereafter; the microphone was addressed during lunchtime of the first day, was fully replaced on the second day and readily available for use throughout the Inquiry."

35. Part 1 Minutes of Cabinet, Committees, Select Committees and Panels

RESOLVED:

That the Part 1 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 – 19 June, 2008
- (B) Scrutiny Committee – 2 June 2008
- (C) Environment Select Committee – 7 April, 2008
- (D) Safer and Stronger Communities Select Committee – 31 March, 2008
- (E) Planning Control Committee – 28 May and 18 June, 2008

36. Rent Restructuring Strategy

Consideration was given to the report of the Director of Service Improvement (Enclosure 7.1 – 7.12 of the Official Minutes of the Council).

RESOLVED:

- (A) That the 2008-09 rent restructuring plan, formulated in accordance with the principles of the Council's agreed rent restructuring strategy be approved as set out below:-
 - (i) No rent will change by more than RPI plus 0.5% plus £2.00 per week.
 - (ii) All rent changes will be implemented via four equal steps between October 2008 and October 2011, except where:-
 - The total change in rent is between £0.10-£1.00 over the restructuring period, in which case the total change will be implemented in October 2008.
 - The total change in rent is between £1.01 and £2.00 over the restructuring period, in which case the total change will be implemented in two equal portions in October 2008 and 2009.
- (B) That the 2008-09 rent restructuring plan be implemented with effect from 06 October 2008.
- (C) That Council consider a further report on the possible introduction of service charges, which takes into account the recommendations of the Housing Policy Development Committee regarding their review of the elderly and disabled persons grass cutting service and the elderly person's internal decoration scheme.
- (D) That the level of garage rents be increased by 25 pence per week with effect from 6 October 2008.

37. Review of the Council's Constitution

RESOLVED:

That it be noted that the report of the Constitution Working Group outlining proposed changes to the Council's Constitution will be submitted to Council in September 2008.

38. 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 Paragraphs 1, 3 and 5, Part 1, Schedule 12A, Local Government Act 1972 (as amended).

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HELD IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK
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PART 2

39. 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 – 19 June 2008

CHAIRMAN