

CANNOCK CHASE COUNCIL

MINUTES OF THE MEETING OF THE COUNCIL

HELD IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

AT 4.00 P.M., WEDNESDAY 24 SEPTEMBER, 2008 (AND RECONVENED AT 6.00PM ON TUESDAY, 30 SEPTEMBER 2008)

PART 1

PRESENT: Councillors

Ansell, Mrs. P.A. (Chairman)
Beddows, J. (Vice-Chairman)

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

(An apology for absence was received from Councillor Mrs. D.M. Todd).

40. **Declarations of Interests of Members 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.	Minute 47 - Recommendations Referred from Cabinet held on 18 September 2008 in relation to Hednesford Public Toilets – Member of Hednesford Town Council	Personal
Kraujalis, J.T.	Minute 46 - Recommendations Referred from Cabinet held on 21 August 2008 in relation to	Personal

Housing Revenue Account Business Plan
Projections - Member is employed by a Housing
Association

Stretton, Mrs. P.Z. Minute 47 - Recommendations Referred from Personal
Cabinet held on 18 September 2008 in relation to
Hednesford Public Toilets – Member of
Hednesford Town Council

41. Minutes

RESOLVED:

That the Minutes of the meeting of the Council held on 6 August, 2008 be approved as a correct record.

42. Chairman's Announcements and Correspondence

(i) Chairman's Charity Collection Box

The Chairman reported that her charity collection box was circulating for Members to make a donation to her chosen charities.

At the meeting held on 25 June 2008 a total of £50.00 was donated to the NSPCC on behalf of Marie Mears leaving collection.

(ii) Chairman's Civic Sunday

The Chairman reported that her Civic Sunday was held on 7 September 2008 at Christ Church, Gentleshaw followed by an indoor BBQ at the Civic Centre. She thanked those Members who attended a very enjoyable day.

A total of £184.00 was raised during the afternoon for her chosen charities.

(iii) Green Flag Award

The Chairman presented Mr. Tom Walsh, Parks and Open Spaces Manager, with the Green Flag awarded for 2008, which had been awarded by the Civic Trust. She reported that the flag was now flying at Cannock Park.

(iv) Chief Executive

The Chairman advised Members that the Chief Executive would be leaving the meeting at 5.00pm due to another commitment.

43. Changes to the Form and Composition of the Cabinet

The Leader notified the Council of the following changes to the form and composition of the Cabinet:

Stanley, N.K.	Leader of the Council Children & Young People Leader <i>(LAA Children & Young People Block Lead)</i>
Freeman, M.P.	Deputy Leader of the Council Healthier Communities & Older People Leader <i>(LAA Healthier Communities, Housing and Older People Block Lead)</i>
Bernard, Mrs. A.F.	Housing Leader
Davies, D.N.	Town Centres Development Leader
Grocott, M.R.	Access to Skills, Economic Development & Enterprise Leader <i>(LAA Access to Skills, Economic Development & Enterprise Block Lead)</i>
Jillings, J.	Safer & Stronger Communities Leader <i>(LAA Safer & Stronger Communities Block Lead)</i>
Williams, A.	Environment Leader <i>(LAA Environment Block Lead)</i>

44. Question in Accordance with Rule 8

No questions were submitted under Rule 8.

45. 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 – 17 July 2008
- (B) Scrutiny Committee – 26 June 2008
- (C) Planning Control Committee – 9 July, 30 July and 20 August 2008
- (D) Licensing & Public Protection Committee – 20 May and 7 July 2008
- (E) Audit & Governance Committee – 17 June and 24 June 2008
- (F) Appeals & Complaints Panel – 9 May and 10 July 2008

The Chairman reported that the minutes of the second meeting held on 9 May 2008 should be amended to show that the meeting took place at 1.00pm and not 10.00am.

46. Recommendations Referred from Cabinet held on 21 August 2008

Consideration was given to the following recommendations referred from Cabinet held on 21 August 2008 in relation to 'Housing Revenue Account Business Plan Projections', which were moved and seconded:

- (i) That Council on 24 September 2008 be recommended to adopt a revised policy whereby 100% of the capital receipts generated from all previous and future bungalow sales are directed to the General Fund Capital Programme to facilitate the provision of additional social housing.
- (ii) That Council on 24 September 2008 be recommended to delete the bathroom replacement programme from the Council's HRA Capital Programmes during the period 2008-2013.

RESOLVED:

- (A) That a revised policy be adopted whereby 100% of the capital receipts generated from all previous and future bungalow sales are directed to the General Fund Capital Programme to facilitate the provision of additional social housing.
- (B) That the bathroom replacement programme be deleted from the Council's HRA Capital Programmes during the period 2008-2013.

47. Recommendations Referred from Cabinet held on 18 September 2008

Consideration was given to the following recommendations referred from Cabinet held on 18 September 2008, which were moved and seconded:

Housing Revenue Account Capital Programme 2008-09

That subject to the approval of Council on 24 September 2008 to the redirection of 100% of vacant bungalow capital receipts and the deletion of the bathroom replacement programme:-

- (i) That the current position with regard to actual and estimated expenditure in respect of the 2008-09 HRA Capital Programme be noted and approval be given to incur £180,000 of additional scheme costs, met through the virement of existing resources for the testing and removal of asbestos.
- (ii) That the current position regarding the estimated availability of capital resources in 2008-09 be noted and that in view of the 'downturn' in the housing market, the position be monitored closely with estimated changes being reported to Cabinet, through the quarterly monitoring reports on the HRA Capital Programme.

Hednesford Public Toilets

That Council on 24 September 2008 be recommended to approve the provision of a supplementary estimate, as detailed in section 4 of the report.

RESOLVED:

- (A) That in relation to the Housing Revenue Account Capital Programme 2008-09:
- (i) The current position with regard to actual and estimated expenditure in respect of the 2008-09 HRA Capital Programme be noted and approval be given to incur £180,000 of additional scheme costs, met through the virement of existing resources for the testing and removal of asbestos.
 - (ii) The current position regarding the estimated availability of capital resources in 2008-09 be noted and that in view of the 'downturn' in the housing market, the position be monitored closely with estimated changes being reported to Cabinet, through the quarterly monitoring reports on the HRA Capital Programme.
- (B) That in relation to Hednesford Public Toilets approval be given to the provision of a supplementary estimate of £1,000 as detailed in section 4 of the report.

48. Membership of the Council's Committees, Panels and Other Bodies

Consideration was given to:

- (i) Changes to the membership of the Council's Committees, Panels and Other Bodies as highlighted on the schedule circulated with the agenda (Enclosure 10.1 – 10.7 of the Official Minutes of the Council)
- (ii) The Appointment of a Vice-Chairman for the Safer and Stronger Communities Policy Development Committee from amongst the Members of that Committee for the remainder of the Municipal Year.

The Leader of the Council, Councillor N.K. Stanley moved the following motion, which was seconded:

- (i) That the changes to the memberships of the Council's Committees, Panels and Other Bodies as highlighted on the schedule be approved, subject to the following amendments:
 - That Councillor R. Jones replaces Councillor D.L. Mawle as Vice-Chairman of the Fundamental Service Review Panel.
 - That Councillor R. Easton replaces Councillor G.N. Molineux on the Audit and Governance Committee and the Audit and Governance Working Group.
- (ii) That Councillor M.R. Green be appointed as the Vice-Chairman for the Safer and Stronger Communities Policy Development Committee.

Councillor M.P. Freeman then moved the following additional amendments to the schedule, which were seconded:

- That Councillor Ms. W. Yates be appointed to the vacancy on the Healthier Communities and Older People Policy Development Committee.

- That Councillor Mrs. D.J. Bennett be removed from the Environment Policy Development Committee and that there be a vacancy on the Committee.

RESOLVED:

- (A) That the changes to the membership of the Council's Committees, Panels and Other Bodies highlighted on the schedule circulated, as amended, be approved.
- (B) That Councillor R. Jones replaces Councillor D.L. Mawle as Vice-Chairman of the Fundamental Service Review Panel.
- (C) That Councillor M.R. Green be appointed as the Vice-Chairman for the Safer and Stronger Communities Policy Development Committee.

49. Recommendations Referred from the Scrutiny Committee held on 11 August 2008

The Chairman of the Scrutiny Committee, Councillor D.L. Mawle, moved the following recommendations referred from the Scrutiny Committee held on 11 August 2008, which were seconded:

- (i) That Councillor Ms. W. Yates be appointed as the Scrutiny Committee's representative to Staffordshire County Council's Health Scrutiny Committee for the municipal year 2008/09.
- (ii) That approval be given to the appointment of a representative from Staffordshire County Council to serve on the Scrutiny Committee with full voting rights whenever health matters are considered.

RESOLVED:

- (A) That Councillor Ms. W. Yates be appointed as the Scrutiny Committee's representative to Staffordshire County Council's Health Scrutiny Committee for the municipal year 2008/09.
- (B) That approval be given to the appointment of a representative from Staffordshire County Council to serve on the Scrutiny Committee with full voting rights whenever health matters are considered.

50. Appointment of Representatives to Outside Bodies

Consideration was given to the appointment of representatives to vacancies on outside bodies.

Following a vote on each of the nominations it was

RESOLVED:

- (A) That Councillor J. Burnett be appointed to Cannock Bowling Green Trust until the Annual Meeting 2009.

- (B) That there continue to be a vacancy on Community Council of Staffordshire until the Annual Meeting 2009.
- (C) That there continue to be a vacancy on the Landor Society until the Annual Meeting 2009.
- (D) That Councillor M.P. Freeman be appointed to Shoal Hill Common Joint Committee until the Annual Meeting 2009.
- (E) That there continue to be two vacancies on the National Association of Councillors Management Committee.

51. Review of the Council's Constitution

Consideration was given to the report of the Director of Governance on behalf of the Constitution Working Group (Enclosure 13.1 – 13.5 of the Official Minutes of the Council).

The Leader of the Council, Councillor N.K. Stanley, moved the recommendations contained within the report, together with the following additional recommendations, which were seconded:

- (i) That Council Procedure Rule 11(1), in relation to Officers being required to stand when addressing the Chairman, be referred back to the Constitution Working Group for reconsideration.
- (ii) That the District Council membership of the Joint Parking Committee be made up of one Member from each of the three largest political parties and the Portfolio Leader responsible for parking within the District.

In accordance with Council Procedure Rule 15(4), the following votes were recorded in respect of the motion: -

<u>For</u>	<u>Against</u>	<u>Abstained</u>	<u>Absent</u>
Alcott, G.			Burnett, J.
Allen, F.W.C.			Davies, D.N.
Ansell, Mrs. P.A.			Todd, Mrs. D.M
Ball, G.D.			
Beddows, J.			
Bennett, Mrs. D.J.			
Bennett, K.L.			
Bernard, Mrs. A.F.			
Bernard, J.			
Bullock, L.W.			
Burnett, G.			
Carr, I.R.			
Davis, Mrs. M.A.			
Dixon, D.I.			
Easton, Mrs. M.			

Easton, R.
Freeman, M.P.
Green, M.R.
Grice, Mrs. D.
Grocott, M.R.
Holder, M.J.
Jillings, J.
Jones, R.
Kraujalis, J.T.
Mawle, D.L.
Meaden, R.G.
Mitchell, C.
Molineux, G.N.
Morgan, C.W.J.
Pearce, Mrs. L.J.
Stanley, N.K.
Stretton, Mrs. P.Z.
Thomas, D.
Williams, A.
Williams, B.
Williams, Mrs. P.
Yates, Ms. W.

37 Members

0 Members

0 Members

3 Members

RESOLVED:

(A) That the changes as identified in the marked copy of the Constitution (and as presented in the summary) be adopted with effect from 25 September 2008.

(B) That the Constitution Working Group continue to meet to:

(i) Determine those changes to be made to the budget/policy framework Council meetings; and

(ii) Reconsider the proposed amendment to Council Procedure Rule 11(1) requiring Officers to stand when addressing the Chairman of the Council at Council meetings;

and that the outcome of the Working Group's deliberations be reported to Council in December 2008.

(C) That the three Group Leaders be required to attend the meetings of the Constitution Working Group.

52. **Statement of Accounts 2007-08**

Consideration was given to a report of the Director of Governance (Enclosure 14.1 – 14.5 of the Official Minutes of the Council).

Members expressed concern that the Council had yet to receive the auditor's opinion from KPMG and were of the view that the Council could not approve the Statement of Accounts without the opinion.

The Head of Financial Management reported that it would be possible for Council to agree the Statement of Accounts without the auditor's opinion, although it was not best practice. He also expressed his disappointment that the opinion from KPMG had not been received on time and suggested that Members could adjourn consideration of the report until 30 September 2008 when it was anticipated that the opinion would be received.

RESOLVED:

- (A) That consideration of the Statement of Accounts 2007-08 be adjourned until 6.00pm on Tuesday, 30 September 2008 following the receipt of the auditor's opinion from KPMG.
- (B) That representatives from KPMG be requested to attend the adjourned meeting in order to provide the Council with an explanation as to the reasons for the delay in submitting their opinion.
- (C) That the delay by KPMG to provide their opinion on the Council's accounts be reported to the Audit Commission.

Those present at the meeting reconvened on Tuesday, 30 September 2008:

Ansell, Mrs. P.A. (Chairman)
Beddows, J. (Vice-Chairman)

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

(Apologies for absence were received from K.L. Bennett, J. Burnett, Mrs. M.A. Davis, M.R. Green, Mrs. L.J. Pearce, and Ms. W. Yates).

53. Statement of Accounts 2007-08

Prior to the commencement of the reconvened meeting, a copy of the auditor's opinion was

circulated to Members.

Consideration was given to a report of the Director of Governance (Enclosure 14.1 – 14.5 of the Official Minutes of the Council).

Mr. Andrew Cardoza and Mr. Mukhtar Khangura of KPMG attended the meeting to explain the reasons for the delay in providing the Council with their opinion on the Council's accounts and apologised for the delay.

RESOLVED:

That the contents of the audited statement of accounts for the year ended 31 March 2008 be noted.

(Continuation of the meeting held on 24 September 2008)

54. 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).

CANNOCK CHASE COUNCIL

MINUTES OF THE MEETING OF THE COUNCIL

HELD IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

AT 4.00 P.M., WEDNESDAY 24 SEPTEMBER 2008 (AND RECONVENED AT 6.00PM ON
TUESDAY, 30 SEPTEMBER 2008)

PART 2

55. Part 2 Minutes of Cabinet, Committees and Panels

RESOLVED:

That the Part 2 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 – 17 July 2008
- (B) Licensing & Public Protection Committee – 20 May and 7 July 2008
- (C) Appeals & Complaints Panel – 9 May and 10 July 2008

The Chairman reported that the minutes of the second meeting held on 9 May 2008 should be amended to show that the meeting took place at 1.00pm and not 10.00am.

CHAIRMAN