

**CANNOCK CHASE COUNCIL**

**MINUTES OF THE MEETING OF THE COUNCIL**

**HELD IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**

**AT 4.00 P.M., WEDNESDAY, 7 NOVEMBER, 2012**

**PART 1**

PRESENT: Councillors:

Todd, R. (Chairman)  
Grice, Mrs. D. (Vice Chairman)

Adamson, G.	Grocott, M.R.
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.	Pearson, A.
Cartwright, Mrs. S.	Rowley, J.
Davies, D.N.	Snape, P.A.
Davis, Mrs. M.A.	Stretton, Mrs. Z.
Dixon, D.I.	Sutherland, M.
Dudson, A.	Sutton, Mrs. H.
Fisher, P.A.	Todd, Mrs. D.M.
Freeman, Miss M.	Toth, J.
Gamble, B.	Whitehouse, Mrs. L.

**57. Apologies**

Apologies for absence were received from Councillors P. Gilbert; M.J. Holder; and Mrs. A. Spicer.

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

Kraujalis, J.T. Corporate Member of Chase Leisure Personal Centre

Snape, P.A. Corporate Member of Chase Leisure Personal Centre

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

## **59. Minutes**

RESOLVED:

That the Minutes of the meeting held on 26 September, 2012 be approved as a correct record.

## **60. 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 his chosen charities. He advised that at the Meeting held on 26 September, 2012 a total of £24.42 was collected, and he thanked Members for their donations.

### (ii) Chairman's Charity Evening

The Chairman reminded Members that he would be hosting a Charity Evening, with a Tribute to Michael Buble on Friday 30 November 2012. He advised Members that tickets were still available and could be purchased from the Chief Executive's office, and he would welcome their support. The Chairman also advised Members that if anyone wished to donate a prize to the evening's raffle – which would be gratefully received – these could also be taken to the Chief Executive's office.

### (iii) Bernard Rastall, M.B.E.

The Chairman, Leader, and a number of other Members paid warm tribute to Bernard Rastall, a former Chief Executive of Cannock Chase District Council between 1973 and 1988, who had died recently. Several Members had attended his funeral on 2 November, 2012, and commented that was gratifying to note that the service had been well attended by people wishing to pay their respects.

## **61. Question(s) in Accordance with Rule 8**

The following question had been submitted in accordance with Rule 8 by Councillor D.N. Davies:

"The £68,000 section 106 monies allocated by Commercial developers for Town Centre Environmental Improvements and have been subsequently given to the Rugeley Miners Memorial Committee to fund a Public Work of Art.

1. Can the Leader identify which development schemes in Rugeley have contributed to this section 106 funding and can he also explain the terms and conditions under which these contributions have been made?

2. Can the Leader also explain why no consultation was carried out with the Rugeley Council Members, Rugeley Town and Brereton parish Council, Rugeley Traders and the general public of Rugeley, before this section 106 funding was generously allocated to a project which should be seeking to get their funding from public subscription?"

3.

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

**Chairman,**

I am very pleased to provide a response to Councillor Davies' questions, particularly as it gives me an opportunity to place on record some facts about Rugeley Water Feature and the proposed Miners' Memorial for Rugeley; and to challenge some misunderstandings by the Leader of the Liberal Democrat Group on these issues.

First of all, it is incorrect to state that £68,000 has been given to the Lea Hall and Brereton Collieries Memorial Society to fund a public work of art. No funds have been released at all to date. Funds will be released for the scheme after public consultation and planning consent for the scheme. If planning consent is not secured, no funds will be released. Funds will also only be released as a reimbursement of expenditure actually incurred.

**I will now turn to Councillor Davies' first question.** The £68,000 are the remainder of the funds previously allocated for the proposed water feature in Brook Square, Rugeley which totalled £72,000. I gave a commitment in this year's budget that this £68,000 would be ring-fenced for use in the Rugeley area.

The £68,000 is made up of unallocated residual S106 funds for general use although the scheme as considered by Cabinet in April 2009 also proposed to utilise two specific Section 106 sums from individual developments. Councillor Davies may remember that it was intended to include £15,399 from the Persimmon Homes S106 relating to land off Armitage Road but this did not happen because, whilst the developer was in agreement, Brereton and Ravenhill Parish Council objected to the use of these funds for the Rugeley Water Feature in 2009. The position therefore reached is that the funding for both the Water Feature scheme and the proposed Miners Memorial is based on unallocated residual S106 funds and there is no requirement to comply with specific S106 conditions. I would refer Councillor Davies to the Cabinet reports on Rugeley Water Feature dated 23<sup>rd</sup> April 2009 and 15<sup>th</sup> April 2010 where the Financial Implications were set out at the time his Cabinet approved the Water Feature scheme.

I would also like to remind Councillor Davies that these funds were allocated to the Rugeley Water Feature for nearly three years (from April 2009 to February 2012). His Cabinet were not able to identify sufficient funds to allow the Rugeley Water Feature scheme to proceed in this period. As a result, my Cabinet proposed that they be re-allocated to a different scheme in Rugeley rather than leave the £68,000 sitting there doing nothing against a scheme which could not be delivered.

**I will now turn to Councillor Davies' second question** which is baffling and misleading in equal measures. The inference behind the question is that my Cabinet 'railroaded' a decision through to fund the proposed Miners' Memorial in Rugeley without proper consultation or process. Nothing could be further from the truth and I apologise in advance to Councillor Davies for the inconvenient facts which I will now place on record.

Representatives of the Lea Hall and Brereton Collieries Memorial Society presented their proposals to erect a monument for miners who worked at Lea Hall and Brereton Collieries to a meeting of the Council's Town Centre Regeneration Policy Development Committee on Tuesday, 13<sup>th</sup> December 2011. The presentation made clear that the Society were seeking funding support from the Council. The total cost of the scheme was identified to the Committee as £70,000 at this meeting.

Part of the approved minutes of this meeting read as follows:-

"Members of the Committee considered that the proposal to erect a mining memorial in Rugeley was an excellent idea and agreed, in principle, to recommend to Cabinet that they should make a financial contribution to support the Society's proposal, subject to confirmation of the amount of funding they were seeking."

The recommendation from the Policy Development Committee to Cabinet about the proposal for a miners memorial in Rugeley reads as follows:-

"That Cabinet is requested to consider establishing the scheme as a Capital Project and

- (i) making a financial contribution towards the cost of the mining memorial and
- (ii) authorise Officers to investigate the consents required, including liaising with the Planning and Highways Authorities regarding the proposal."

For the record, Councillor Pat Williams was present at the PDC meeting on 13<sup>th</sup> December 2011 who had until May 2011 acted as the Liberal Democrat Cabinet Member for Town Centre Regeneration and was also a serving Rugeley Town Council Councillor.

The recommendations from the cross party Policy Development Committee was submitted to Cabinet on 19<sup>th</sup> January, 2012 for consideration. Cabinet expressed support for the PDC recommendation but a decision on the level of financial contribution was deferred pending consideration of the forthcoming Budget. In the Budget agreed by Council in February 2012, £300,000 was allocated to a Town Centre Improvement Fund which included the funds previously set aside for Rugeley Water Feature.

A Cabinet report entitled 'Proposals for Town Centre Improvements' was subsequently considered on 21<sup>st</sup> June 2012 and recommendation 2.1 was approved which reads:-

"That subject to the scheme obtaining planning consent, Cabinet approve the allocation of a capped sum of £68,000 to establish a Miners' Memorial in Rugeley to commemorate miners who lost their lives in the Lea Hall and Brereton Collieries. Should this not proceed, Cabinet approve this funding be ringfenced to deliver a programme of environmental improvements in Rugeley Town Centre."

This was the same report that agreed an investment of £100,000 into Rugeley Conservation Area on a 50/50 matched funding basis with English Heritage which has been secured.

**Chairman** – Councillor Davies seems to be unaware that the recommendation to make a financial contribution to a Miners' Memorial in Rugeley originates from the cross party Town Centre Regeneration PDC; he seems unaware that his ex-Cabinet Member colleague for Town Centre Regeneration was fully supportive of this at the time; and he seems to have been happy for a water feature in Rugeley to be funded fully from public funds but now argues that a Miners' Memorial in Rugeley should be funded from 'public subscription'. What is the difference in principle between funding a water feature and a miner's memorial? I really do not understand Councillor Davies' logic at all on this. The fact that other miner's memorials have been funded in other ways does not set a precedent or preclude the Council from funding this proposal which I understood had cross party support.

If Councillor Davies did not support the recommendation of the Town Centre Regeneration PDC on this matter or believed that insufficient consultation had taken place, then he had full opportunity to initiate a Call In on the Cabinet decision of 21<sup>st</sup> June 2012 to fund the Miners' Memorial. He did not do so at the time Cabinet made the decision and the timing of his question today gives the impression he has only just realised what is going on. He has had ample opportunity to challenge this in the proper and democratic way but he has not.

**Further, Chairman**, Councillor Davies seems to be emphasising the importance of consultation. I would point out that nearly 40% of the respondents to the Rugeley Water Feature public consultation stated that they did not want a water feature at all. This was the response of 151 people of the 400 responses received and is set out in the Cabinet report dated 24<sup>th</sup> June 2010. Despite this public feedback, Councillor Davies and his Cabinet Members still decided to proceed with the Water Feature Scheme.

Memorial Society members attended a meeting of CHAPS on 26 October, 2012, and advised me that they have received over 500 responses so far to a consultation on a proposed miners memorial, the vast majority of which are positive.

In summary, Cabinet is funding the Miners' Memorial in Rugeley because of a recommendation from the cross party Town Centre Regeneration PDC. It has set this intention out clearly and transparently in a public report dated 21<sup>st</sup> June, 2012. The money previously allocated to Rugeley Water Feature is now allocated to the proposed Miners' Memorial in Rugeley. Subject to planning consent, these funds will be released to fund the scheme which is rightly proposing to commemorate approximately 80 miners who were killed underground at Brereton and Lea Hall Collieries during the lifetime of those pits.

I will of course provide Councillor Davies with a written copy of my response and can provide any of the reports or minutes I have referred to on request.

## **62. 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 – 20 September, 2012

Business Rates Discount Scheme (Part Minute 52) – In response to a Members' question, the Town Centre Regeneration Portfolio Leader advised that 4 applications had been approved to date and 1 rejected that did not meet the scheme criteria.

The Portfolio Leader also confirmed that she would ensure another Member was provided with information in respect of an application for Heritage (Rugeley Conservation Area) Funding.

"Quids In!" Magazine (Minute 67) – A Member expressed concern that, in his opinion, Council publications, such as "Hometalk" in which "Quids In!" would be circulated, were becoming over politicised. Other Members disagreed pointing out that, Members' inclusion in articles and photographs, was not politically motivated, but simply reflected the current composition of the Council, in terms of, for example Portfolio Leaders Chairs of Policy Development Committees etc., and this had always been the case.

- (b) Planning Control Committee – 12 September; and 3 October, 2012

Planning Application CH/12/0220, Residential Development - Erection of 10 Town Houses, Land rear of The Vine, Public House (Minute 199) – A Members asked the Leader for an assurance that no s.106 monies secured from the development would go towards the Miners Memorial.

The Leader advised that he would ensure that the matter was investigated further and a written response provided in due course.

- (c) Audit and Governance – 20 August, 2012
- (d) Health Scrutiny Committee – 3 September, 2012
- (e) Appeals and Complaints Panel – 19 October, 2012
- (f) Rate Relief Committee – 28 June, 2012
- (g) Joint Parking Committee – 14 August, 2012

On Street Parking Charges with Cannock (Minute 12) – The Corporate Improvement Portfolio Leader expressed concern that recent newspaper reports could be taken to imply that it was the District Council that intended to introduce the charges; when, in fact, it was the County Council. It was suggested that the Communications team should get out a press release to this effect; and also remind the public that the Council would be suspending car parking charges on the 2 Saturdays prior to Christmas.

- (h) Cannock Community Forum – 12 June, 2012

Possible Closure of Cannock Library (Minute 8) – Members expressed concern about a reported proposal from the County Council to relocate Cannock Library into the main South Staffordshire College building, in spite of previous assurances that this wouldn't happen unless it was to the betterment of the library. Members reiterated their support for the library being retained or even expanded at its current site.

### **63. 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) 2 and 3, Part 1, Schedule 12A Local Government Act 1972.

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**HELD IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**  
**AT 4.00 P.M., WEDNESDAY, 7 NOVEMBER, 2012**

**PART 2**

**64. 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 – 20 September, 2012

Quarter 1 – Performance Review of Wigan Leisure and Culture Trust (Minute 73) – The Liberal Democrat Group Leader commented that it was gratifying to note the excellent performance of WLCT. This led to a wider discussion about the technical problems being experienced with the pool, which were being addressed by the main contractor, G.F. Tomlinson, and specialist sub-contractors. Unfortunately, this meant that the Council was not in a position to confirm a likely opening date. In the meantime, steps had been taken to maintain the enhanced programme at Rugeley Pool and Leisure Centre and arrangements had been put in place with Chase High School to transfer some swimming lessons to its pool.

- (b) Appeals and Complaints Panel – 19 October, 2012

(The meeting closed at 5.40 p.m.)

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CHAIRMAN