



Cannock Chase Council

Annual Council Meeting

Wednesday 19 May 2021 at 6:00pm

Meeting to be Held in the Ballroom, Civic Centre, Beecroft Road, Cannock

Notice is hereby given of the above-mentioned meeting of the Council, which you are summoned to attend for the purpose of transacting the business set out below:

Prior to the commencement of the formal business of the meeting the following will take place:

- Outgoing Chairman's Remarks.

Part 1

- 1. Apologies**
- 2. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members**

To declare any interests in accordance with the Code of Conduct.
Members should refer to the guidance included as part of this agenda.
- 3. Election of a Chairman of the Council**

To elect a Chairman of the Council for the municipal year 2021-22.
- 4. Election of a Vice-Chairman of the Council**

To elect a Vice-Chairman of the Council for the municipal year 2021-22.

5. Minutes

To confirm the Minutes of the Council Meeting held on 21 April 2021, Minute Nos. 93 – 107; Page Nos. 85 – 93.

6. The Chairman's Announcements and Correspondence

To receive any Announcements and Correspondence from the Chairman of the Council.

7. Leader of the Council

To elect a Leader of the Council in accordance with the requirements set out in the Constitution.

8. The Leader's Announcements and Correspondence

To receive any Announcements and Correspondence from the Leader of the Council.

9. Form and Composition of the Cabinet

To receive notification from the Leader of the Council of the number and identity of Cabinet members and their portfolios (Item 9. – To Follow).

10. Leader of the Opposition

To receive confirmation of acceptance of office from the Leader of the Opposition.

11. Form and Composition of the Shadow Cabinet

To receive notification from the Leader of the Opposition of the number and identity of Shadow Cabinet members and their shadow portfolios (Item 11. – To Follow).

12. Allocation of Seats to Committees and Other Bodies

Report of the Interim Managing Director (Item 12.1 – 12.3).

Appendix 1 to this Report will be issued in advance of the meeting.

13. Appointment of Members, Chairmen and Vice-Chairmen to the Council's Committees, Sub-Committees and Other Bodies for 2021-22

Council is requested to consider:

- (i) The appointment of Chairmen and Vice-Chairmen to Committees, Sub-Committees and Other Bodies, provided that advance notification of any Political Group's proposed Chairmen, Vice-Chairmen and membership has been circulated by the Proper Officer to all Members at least 24 hours prior to the Annual Meeting.
- (ii) The appointment of Councillors to Committees as proposed by each of the Group Leaders.

(A schedule setting out the proposed memberships, together with the nominations for Chairmen and Vice-Chairmen, will be circulated to all Members at least 24 hours before the Annual Council meeting).

14. Representatives on Outside Bodies 2021-22

Report of the Interim Managing Director (Item 14.1 – 14.3).

Appendix 1 to this Report will be tabled at the meeting.

15. Appointment of Interim Joint Chief Executive

Report of the Leader of the Council (Item 15.1 – 15.11).



B. Kean
Interim Managing Director

11 May 2021

Guidance on Declaring Personal, Pecuniary, and Disclosable Pecuniary Interests at Meetings

Definition of what is a Personal, Pecuniary and Disclosable Pecuniary Interest

A Personal Interest is one where your well-being or financial position, or those of a member of your family or any person with whom you have a close association would be affected to a greater extent than the majority of Council Tax payers, ratepayers, or inhabitants of the electoral ward(s) affected by the decision. You automatically have a personal interest if you have given notice in the Register of Members' Interests, e.g. if you are appointed to an outside body by the Council.

A Pecuniary Interest is a personal interest where the matter

- a) affects your financial position or that of a member of your family or any person with whom you have a close association or a body in which you have registered in the Register of Members Interests or
- b) relates to the determining of any consent, licence, permission or registration in relation to you or any person with whom you have a close association or a body in which you have registered in the Register of Members Interests

and, in either case, where a member of the public knowing the facts would reasonably regard the interest as so significant it is likely to affect your judgement of the public interest

A Disclosable Pecuniary Interest is an interest of yourself or your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) in respect of employment, office, trade, profession or vocation carried out for profit or gain; sponsorship; contracts; land; licences; corporate tenancies; or securities, as defined with the Localism Act, 2011.

Please make it clear whether it is a Personal, Pecuniary or Disclosable Pecuniary Interest

It would be helpful if, prior to the commencement of the meeting, Members informed the Monitoring Officer of any declarations of interest, of which you are aware. This will help in the recording of the declarations in the Minutes of the meeting.

Declaring Interests at Full Council

The Code of Conduct requires that personal interests where you have a personal interest in any business of the Council, and where you are aware or ought reasonably to be aware of the existence of the personal interest, and you attend a meeting of the Council at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

Some items will be mentioned in the papers for full Council but are not actually being considered by Full Council. In such circumstances the Monitoring Officer's advice to Members is that there is no need to declare an interest unless the particular matter is mentioned or discussed. As a general rule, Members only need to declare an interest at full Council in the following circumstances:

- Where a matter is before the Council for a decision and/or
- Where the matter in which the Member has an interest is specifically mentioned or discussed at the Council meeting.

Cannock Chase Council

Minutes of the Meeting of the Council

Held via Remote Access

On Wednesday 21 April 2021 at 6:00 p.m.

Part 1

PRESENT: Councillors:

Dudson, A. (Chairman)
Witton, P.T. (Vice-Chairman)

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

Prior to the commencement of the formal business of the meeting, the Chairman reported on the extremely sad news of the death of HRH Prince Philip, Duke of Edinburgh on Friday 9 April at Windsor Castle, with Her Majesty The Queen at his side.

The Council had joined the rest of the Country in an eight-day period of mourning, and the Union Flag at the front of the Civic Centre was flown at half-mast as a mark of respect.

The Council's thoughts were with Her Majesty The Queen, and the rest of the Royal Family at this sad time.

All Members then joined the Chairman in a minutes silence to show their respects and to remember a remarkable national figure.

93. Apologies

Apologies were submitted for Councillor C. Bennett.

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

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

(Councillor Mrs. D.M. Todd joined the meeting at the start of this item.)

95. Minutes

Resolved:

That the Minutes of the meeting held on 24 February 2021, and the Extraordinary meeting held on 11 March 2021, be approved as a correct record.

(Councillor R.J. Hughes lost connection to the meeting during this item and did not return.)

96. Questions Received from the Public under Council Procedure Rule 4B(c)

- (i) The following question was submitted in accordance with Council Procedure Rule 4B(c) by member of the public, Sarah Findlay:

"The government pledged to phase out peat usage by local authorities by 2015 and private gardeners by 2020 can we have assurance that council parks and gardens are no longer using any products containing peat?"

Councillor Mrs. C. Mitchell, Culture and Sport Portfolio Leader, provided the following response:

"I welcome this question from Ms. Findlay, and in order to respond, I have spoken to the Council's Parks and Open Spaces Manager who is responsible for designing and procuring the Council's floral displays which adorn our parks, open spaces, highways and town centres. and which represent the biggest use of peat-based composts along with the refurbishment of tree and shrub beds in the District.

Progress has been made in reducing peat use, and since 2011, the Council has reduced its usage in respect of its winter bedding displays by 50%. Winter bedding displays are those that are planted in November and flower in May/June the following year.

In addition, the summer bedding planted in June is now produced in a 30% peat free compost in accordance with the latest research by the Agricultural Development and Advisory Service (ADAS). Similarly, we use hanging baskets with a water irrigation system to reduce the levels of peat used.

The other areas of peat use, such as mulching of shrub beds and improving soil conditions when replanting, has been completely removed by using waste bark chippings from the Council's tree operations and the use of peat free soil conditioners composted in each of the staffed parks.

It is fair to say that although there are some alternative composts which do not contain peat and that have been trialled as part of the ADAS 5-year trials, they are not yet produced widely, meaning that at this time it is not possible to completely phase out the use of peat.

However, as these peat free composts become more widely available, the Council will switch over to nurseryman/plant growers who adopt these peat free alternatives as part of their business. This would then allow the Council to be 100% peat free as opposed to currently been 80% peat free."

97. Chairman's Announcements and Correspondence

(i) Member Retirements

As Members were aware, this was the last full Council meeting prior to the May elections and Annual Council meeting.

Three serving Members retiring from their positions this year, and so the opportunity was being taken to acknowledge their service to the Council, as this would be their last meeting.

Firstly, Councillors Carl Bennett and Maureen Freeman, who both had 9 years' service as Ward Councillors for Cannock Chase Council.

Councillor Bennett was appointed as a Cabinet Member and held this position from May 2013 until May 2020 and had also sat on several Council Committees.

Councillor Maureen Freeman was Vice-Chairman of the Council and subsequently became Chairman of the Council in May 2015 holding office for 12 months. She also sat on many Council Committees.

Councillors Bennett and Freeman had been a credit to the Council and the residents of the District. They would be missed in the Chamber, and on behalf of all Members and Council Officers, they were sent the Council's best wishes.

It would be remiss not to give a special mention to the third Member who was retiring. Councillor Gordon Alcott was stepping down from the Council after 51 continuous years' service with the Council. This was sure to be a record for the Authority for many years to come, if not an unbeaten record.

Councillor Alcott was usually the person you would go to, to find out the history of the Authority or a Councillor; he would recite stories of memorable moments and achievements. It was fair to say however, that it was not quite so easy to find someone who could provide the same level of information about Councillor Alcott, as he has survived many of his colleagues.

Councillor Alcott was a retired ambulance-man, and first elected as a Councillor on Cannock Urban District Council in 1970 representing St. Aidans and St. Chads Wards, before becoming a Cannock Chase District Councillor in 1973 representing the Cannock North Ward when Cannock and Rugeley Urban Councils merged.

Councillor Alcott had most likely sat on every Council Committee there had ever been, on occasions being Chairman or Vice-Chairman of a Committee, as well as representing the Council on many Outside Bodies. Councillor Alcott was also a long serving Governor of what was Blake Comprehensive School, now Staffordshire University Academy.

He held office of Vice-Chairman of the Council and was Chairman of the Council on three occasions in 1979-80, 1987-88 and 2010-11. Councillor Alcott was also Leader of the Council for a time in the early 1990s and had been a Cabinet Member since 2011 and Deputy Leader of the Council since 2015.

Councillor Alcott had worked tirelessly for the Council, seeing many important projects come to fruition, for example, working alongside people like Ethel Powell and others to secure the building of Cannock Hospital.

Without question, Councillor Alcott's dedication to the Authority and the residents of Cannock Chase was exemplary, and he would be a great loss to the Council, not just for his devotion but also his knowledge. Councillor Alcott would be greatly missed, and on behalf of all Members and Officers, he was thanked sincerely for his service and hard work to the District of Cannock Chase and sent him the Council's very best wishes.

Several other Members then spoke to share their memories and pass on best wishes for the future and thanks to Councillors Alcott, Bennett, and Freeman.

98. Leader's Announcements and Correspondence

(i) Covid-19 Update

The Covid-19 case rate for Cannock Chase was now only 7 per 100,000 residents, which was a massive drop from the 400 plus figures that the District had late last year.

The Leader again thanked the wonderful NHS staff, key workers and amazing volunteers who had worked so hard to keep people safe and well throughout the pandemic. He noted that this was not the time for everyone to lower their guards, but to abide by the guidelines.

(ii) Building of New Council Housing

The Council was proceeding with its new housing developments. The scheme at the Hawks Green Depot site was well advanced, and the plans for the environmentally friendly homes on the former Aelfgar site in Rugeley had been granted planning consent. The proposals for the new site in Chadsmoor were going out to consultation soon. After many years of being unable to build new council houses, the Council was doing its best to try to meet at least some of the local need for social housing.

(iii) McArthurGlen Designer Outlet

The new Designer Village had now opened and was proving very successful and popular. It had brought massive investment into the District, created hundreds of new jobs for local people, and was putting Cannock Chase on the national retail map. Phase 2 of the scheme was also looked forward to.

(iv) New Cannock Chase Cemetery and Crematorium

Significant progress continued to be made on the new cemetery despite the pandemic, shortage of materials and the unfortunate circumstances resulting in the original contractor going into administration. The civil, landscaping and building works were on track to be completed by the end of this month, with the opening planned for some time between 17 May (when hopefully Stage 2 of the Government's roadmap to recovery would be confirmed and restrictions eased further), and the end of May. The time between completion and opening would allow all safe processes and procedures to be put in place and tested.

The new crematorium opened on 19 April.

Leisure and Culture Services

As Members would know, this had been a difficult time for the Council's culture and leisure operator, Inspiring Healthy Lifestyles (IHL). The Council had supported and worked with IHL through this challenging time to ensure that the District's residents would continue to have the opportunity to enjoy the fantastic leisure and cultural facilities. Most of the facilities were now re-opening safely again with both leisure centres opening on 12 April, together with 5's at Bradbury Lane and Cannock Park Golf course, which was fully booked within 40 minutes of re-opening on 29 March. The Prince of Wales Theatre box office was due to re-open on 17 May in anticipation of the full easing of restrictions in June, and the Museum was set to re-open on 20 May.

Part of the Council's support to IHL had involved entering into contracts for the installation of a new boiler at Rugeley Leisure Centre and repairs to the pool that unfortunately occurred during lockdown. Transferring these contracts to the Council had been a complicated legal process, but it was pleasing to announce that a pre-start meeting with the contractor had been held this afternoon for the boiler works that were due to start on site on 17 May, and Officers are working toward a start date of 28 May for the pool refurbishment works and would be able to confirm this shortly.

It was also pleasing to announce that works (circa £800,000) on extending the Artificial Grass Pitch at Rugeley Leisure Centre were also due to start on 17 May and all three projects, the boiler, the pool, and the pitch should be completed by the Summer.

99. Questions Received under Council Procedure Rule 8

- (i)** The following question was submitted in accordance with Council Procedure Rule 8 by Councillor B. Jones, Community Safety and Partnerships Shadow Portfolio Leader:
"The Chairman of the Community Scrutiny Committee receives a yearly Special Responsibility Allowance of £1,918.81.

The current Chairman of the Community Scrutiny Committee, Councillor Carl Bennett, has not attended any Community Scrutiny Committee meetings this financial year, and therefore has been unable to Chair any of them.

As the Vice-Chairman of the Community Scrutiny Committee, I have had the privilege of Chairing all three committee meetings held this financial year, a role which I have thoroughly enjoyed. I wish to make clear that in the absence of the Chair I see this as my absolute responsibility and my question is not about me undertaking this function.

However, as this is Cannock Chase Taxpayers money, could Councillor Carl Bennett please confirm whether he has received the Special Responsibility Allowance for this financial year and if so, does he intend to repay it?"

The Chairman advised that due to Councillor Bennett having given apologies for today's meeting, a written response to the question would be provided to Councillor B. Jones.

100. Recommendations Referred from Cabinet, Committees, etc.

Consideration was given to the following recommendations to Council, made by Cabinet at its meetings held on 4 March and 1 April 2021, in respect of:

(i) Local Development Scheme 2021-24 (Minute No. 92, 04/03/21)

"That Council be recommended to approve the revised Local Development Scheme 2021-24, as set out at Appendix 1 of the 4 March 2021 Cabinet report, in order that it can be brought into effect on 21 April 2021."

Resolved:

That the revised Local Development Scheme 2021-24, as set out in Appendix 1 of the 4 March 2021 Cabinet report, be approved in order that it can be brought into effect on 21 April 2021.

(ii) 3 Year Delivery Plans 2021-24 (Draft Minute No. 104, 01/04/21)

"That Council be recommended to approve the 3 Year Delivery Plans for 2021-24 as set out in Appendices 1 to 3 of the 1 April 2021 Cabinet report."

Resolved:

That the 3 Year Delivery Plans for 2021-24, as set out in Appendices 1 to 3 of the 1 April 2021 Cabinet report, be approved.

(Councillor P.E. Woodhead requested that his name be recorded as having voted against this recommendation.)

(iii) Proposed Changes to Scrutiny Committees to Align with the Corporate Plan 2021-24 (Draft Minute No. 105, 01/04/21).

"That Council be recommended to dissolve the existing four Scrutiny Committees, and with effect from the start of the 2021-22 municipal year, establish three new Scrutiny Committees for:

- Economic Recovery
- Health & Wellbeing, and
- Financially Resilient Council"

Resolved:

That the existing four Scrutiny Committees be dissolved, and with effect from the start of the 2021-22 municipal year, three new Scrutiny Committees be established for:

- Economic Recovery
- Health & Wellbeing, and
- Financially Resilient Council.

101. Feedback from the Stage 3 Complaints Review Working Group

Councillor A.M. Muckley provided feedback from the Stage 3 Complaints Review Working Group held on 11 March, noting that had been a cross-party Group with involvement from Officers. A good variety of opinions and views had been put forward about Members' involvement in stage 3 of the Council's complaints process, and it was decided that this approach had very little value overall as most stage 3 complainants would go to the Local Government Ombudsman anyway.

The working group recommended that stage 3 complaints be removed from the remit of the Appeals and Complaints Panel but suggested that Members could perhaps be involved at stage 2 instead to help complainants feel they were getting a holistic and independent service.

Concerns were raised about the time taken to prepare for and take part in the stage 3 panel meetings, the level of Officer and Member resource required, and the increasingly adversarial nature of such meetings. A lack of training for Members on how to deal with final stage complaints had also been identified. It was noted that no other councils in Staffordshire had these panels in place, and it had been difficult to find examples from elsewhere.

It was therefore the view of the working group that stage 3 panels should end, but anyone still currently going through the process could ask for their complaint to be referred to a panel if they had been advised this was an option.

The working group had also requested to meet again to discuss Members' involvement at stage 2 of the complaints process.

The recommendation to remove stage 3 from the Appeals and Complaints Panel's terms of reference had been submitted to the Constitution Working Group for consideration, and they agreed with the proposal.

Other Members of the Stage 3 working group then spoke in support of what was discussed at the meeting on 11 March and the recommendations proposed, particularly the need to ensure fairness of proceedings for all involved, and the need for training, where relevant.

102. Motions Received under Council Procedure Rule 6

None received.

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

None received.

104. Review of Hackney Carriage / Private Hire Driver, Vehicle & Operator Licensing Policy and National Register of Taxi Licence Revocations and Refusals (NR3)

Consideration was given to the Report of the Head of Economic Prosperity (Item 12.1 – 12.90 of the Official Minutes of the Council).

Resolved:

That:

- (A) The Hackney Carriage / Private Hire Driver, Vehicle & Operator Licensing Policy, as included at Appendix 1 of the report, be approved, and adopted.
- (B) The Head of Economic Prosperity be authorised to determine the mechanisms for implementation of all driver training requirements within the Policy.
- (C) The Head of Economic Prosperity be authorised to make any amendments to the Policy required due to changes in legislation or government guidance and minor variations to the Policy in the interests of service improvement.
- (D) The National Register of Taxi Licence Revocations and Refusals (NR3) Policy, as included at Appendix 7 of the report, be approved, and adopted.

105. Constitution Amendments

Consideration was given to the Report of the Monitoring Officer (Item 13.1 – 13.16 of the Official Minutes of the Council).

Resolved:

That:

- (A) The proposed amendments to the Constitution, as detailed in Appendix 1 of the report, be approved.
- (B) The revised terms of reference for the Scrutiny Committees, and the amendment to the Budget and Policy Framework Procedure Rules, as detailed in Appendix 2 of the report, be approved.

106. Calendar of Meetings 2021-22

Consideration was given to the Report of the Interim Managing Director (Item 14.1 – 14.11 of the Official Minutes of the Council).

Resolved:

That:

- (A) The Calendar of Meetings 2021-22, as included at Appendix 1 of the report, be approved.
- (B) The Managing Director, in consultation with the Chairman of the Council, relevant Chairmen of Committees and / or Leader of the Council, as appropriate, be authorised to amend the Calendar of Meetings, through convening additional meetings, or the postponement / cancellation of meetings, if required.

107. Comments and Questions on Part 2 Minutes of Cabinet, Committees, Sub-Committees and Panels under Rule 9

None received.

The meeting closed at 7:28 p.m.

CHAIRMAN

Report of:	Interim Managing Director
Contact Officer:	Steve Partridge
Contact Number:	01543 464 588
Portfolio Leader:	Leader of the Council
Report Track:	Annual Council: 19/05/21

**Annual Council
19 May 2021
Allocation of Seats to Committees and Other Bodies**

1 Purpose of Report

- 1.1 For Council to determine the allocation of seats to different Political Groups duly constituted, to the Council's Committees and Other Bodies, following the District elections held on 6 May 2021 that resulted in the election of 13 ward councillors.

2 Recommendation(s)

- 2.1 That the allocation of seats to the different Political Groups to the Council's Committees and Other Bodies as set out in Appendix 1 to the report be confirmed.

3 Key Issues and Reasons for Recommendations

Key Issues

- 3.1 Following the District elections held on 6 May 2021 that resulted in the election of 13 ward councillors, it has been necessary to review the allocation of seats to Committees, Sub-Committees and Other Bodies to ensure the allocations are proportionate to the membership of each Political Group.

Reasons for Recommendations

- 3.2 Council is required to confirm the allocation of seats to the different Political Groups in order that the appointment of Chairmen, Vice-Chairmen and Members to Committees and Other Bodies can be subsequently considered under item 12 of the agenda for today's meeting.

4 Relationship to Corporate Priorities

- 4.1 The Council, through its democratic process, supports the Council's Corporate Priorities.

5 Report Detail

- 5.1 The Local Government and Housing Act 1989 (and further regulation since) requires the Council to allocate seats to the political parties in accordance with the political balance rules. The Council has previously determined that the size of the Council's Committees is fixed at the start of the municipal year and remains fixed for that year. In the event of any changes to party membership or a vacancy occurring during the year, the size of Committees would not change; the only change being the allocation of seats to political parties in accordance with the political balance rules.
- 5.2 Council is required to consider the allocation of seats to the different Political Groups in relation to the Council's Committees and Other Bodies, so as to give effect to, and reflect, so far as reasonably practicable, the political balance of the Members of the Council.
- 5.3 Under agenda item 12 of today's meeting, Council will be asked to consider and confirm the appointment of Chairmen, Vice-Chairmen and Members to Committees and Other Bodies as proposed by each of the Group Leaders in accordance with a political balance calculation previously provided to them.

6 Implications**6.1 Financial**

None.

6.2 Legal

The Council has a duty under Section 15(3) of the Local Government and Housing Act 1989 ('the Act') to "determine the allocation to the different political groups into which the members of the authority are divided of all the seats which fall to be filled by appointments made from time to time by that authority...".

Sections 15(4) and (5) of the Act place a further duty upon the Council, in performing its obligations under subsection (3) above, to determine the allocation to different political groups of seats on Committees and Other Bodies, so as to give effect, so far as reasonably practicable, to the following principles:

- (a) That not all the seats are allocated to the same political group.
- (b) That the majority of the seats are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership,
- (c) Subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of the Council as is borne by the number of members of that group to the membership of the Council; and

- (d) Subject to paragraphs (a) to (c) above, that the number of seats which are allocated to each political group bears the same proportion to the number of all the seats on Committees and Other Bodies as is borne by the number of members of that group to the membership of the Council.

6.3 Human Resources

None.

6.4 Risk Management

None.

6.5 Equality & Diversity

None.

6.6 Climate Change

None.

7 Appendices to the Report

Appendix 1: Political balance calculation as at 19 May 2021 (to follow).

Report of:	Interim Managing Director
Contact Officer:	Steve Partridge
Contact Number:	01543 464 588
Portfolio Leader:	Leader of the Council
Report Track:	Council: 19/05/21

**Annual Council
19 May 2021
Representatives on Outside Bodies 2021-22**

1 Purpose of Report

- 1.1 To consider the appointment of representatives to outside bodies for 2021-22 as set out in the schedule of nominations to be circulated at the Annual Council Meeting.
- 1.2 To confirm the Managing Directors authority to make appointments to any other outside bodies throughout the municipal year and amend as necessary, in accordance with the arrangements as set out in paragraph 3 of this report.

2 Recommendation(s)

That:

- 2.1 Council determine the appointment of representatives to outside bodies for 2021-22, as set out in Appendix 1 of the report (to follow).
- 2.2 The Managing Director, in consultation with the Political Group Leaders, makes appointments to additional outside bodies and amendments to any existing outside bodies, as necessary, throughout the municipal year.
- 2.3 In the event of the Political Group Leaders failing to agree on a nomination(s) to an outside body (as referred to in paragraph 2.2 above) the appointment will be a matter for determination by the Council.
- 2.4 Subject to paragraph 2.2 above, the Managing Director when appointing representatives to outside bodies, be authorised to determine which of the appointments should be classed as an 'approved duty' for the purposes of claiming travelling and subsistence expenses.

3 Key Issues and Reasons for Recommendations

Key Issues

- 3.1 Under the order of business for the Annual Council Meeting, as set out in the Council Procedure Rules (Part 4, Section 27 of the Constitution), the Council shall “appoint representatives to outside bodies provided that Group Leaders have submitted their nominations to the Proper Officer at least 48 hours prior to the commencement of the Annual Meeting. The submitted nominations shall be circulated to Members of the Council at the meeting and no amendments shall be permitted once the nominations are received by the Proper Officer.”.

Reasons for Recommendations

- 3.2 The appointment of representatives to serve on outside bodies must be undertaken annually in accordance with the requirements as set out in paragraph 3.1, above, and the terms of office and other conditions detailed in the schedule at Appendix 1 of the report (to follow).
- 3.3 For practical purposes, Council is also requested to delegate authority to the Managing Director, in consultation with the Group Leaders, to make appointments to any additional outside bodies, and amend existing appointments as necessary, throughout the municipal year, on receipt of any nominations from individual Group Leaders.
- 3.4 Should Council agree to recommendation 2.2, then further delegated authority is sought for the Managing Director to determine those appointments that are to be classed as an ‘approved duty’ for the purposes of the nominated representative claiming travelling and subsistence expenses.

4 Relationship to Corporate Priorities

- 4.1 The Council, through its democratic process, contributes to the Council’s Corporate Priorities and promotes community engagement through the appointment of representatives to outside bodies.

5 Report Detail

- 5.1 In helping to prepare the schedule of proposed appointments, details of the number of meetings of outside bodies called during the preceding 12-month period, together with details of the attendance of those appointed to such bodies has been provided to each of the Political Group Leaders prior to them submitting their nominations. However, it should be noted that this information may not provide an accurate picture of attendance / representation because, for example, the body may have met only infrequently / has failed to meet at all during the period; or has not fed back details of attendance on request.
- 5.2 Determination of appointments to representatives on outside bodies is a matter for Council in the first instance. To not cause undue delay in between full Council meetings, recommendation 2.2 seeks delegation to the Managing Director, in consultation with the Political Group Leaders, to make additional appointments to

new outside bodies or amend appointments to existing outside bodies. Recommendation 2.3 sets out that if agreement cannot be reached in such circumstances, then the matter will be referred to full Council for resolution.

- 5.3 Recommendation 2.4 seeks authority for the Managing Director to determine which outside bodies should be classed as ‘approved duties’ under the Members’ Allowances Scheme for the purposes of paying travel and subsistence allowances.

6 Implications

6.1 Financial

There are no direct financial implications arising from this report. Any costs which arise from appointments determined as an approved duty, and thereby subject to travel and subsistence claims, will have to be met from existing Members’ budgets.

6.2 Legal

Unless otherwise specified by statute, Section 101(1) of the Local Government Act 1972 empowers the Council to arrange for the discharge of any of its functions by an officer of the Council in that:

“subject to any express provision contained in this act or any act passed after this Act, a local authority may arrange for the discharge of any of their functions-

(a) by a committee, a sub-committee or an officer of the authority...”

Council can therefore delegate the appointment of representatives on outside bodies to the Managing Director.

6.3 Human Resources

None.

6.4 Risk Management

None.

6.5 Equality & Diversity

None.

6.6 Climate Change

None.

7 Appendices to the Report

Appendix 1: Schedule of proposed Outside Bodies appointments for 2021-22 (to follow).

Report of:	Leader of the Council
Contact Officer:	Interim Managing Director
Contact Number:	01543 464334
Portfolio Leader:	Leader of the Council
Report Track:	Annual Council: 19/05/21

**Annual Council
19 May 2021
Appointment of Interim Joint Chief Executive**

1 Purpose of Report

- 1.1 To consider the rationale for the sharing of a Chief Executive between Stafford Borough Council and Cannock Chase Council for an initial 12-month period.
- 1.2 To consider the proposed terms of reference; terms and conditions, governance arrangements and timeline for that role in determining a business case for the ongoing sharing of a Chief Executive and further shared services.

2 Recommendation(s)

- 2.1 That subject to approval of the proposals by Stafford Borough Council at its Council meeting on 17 May 2021, the Council approves
- (i) The appointment of Tim Clegg as Interim Joint Chief Executive for a period of 14 months (“the Term”), with effect from 1 June 2021, and his appointment as Head of Paid Service from 1 August 2021. The first 2 months of the Term will enable an effective handover period to take place between the Joint Chief Executive and the Interim Managing Director, before the retirement of the Interim Managing Director at the end of July.
 - (ii) That an interim report be submitted after 8 months in relation to the effectiveness of the interim sharing arrangements and an outline business case for ongoing sharing between the two Councils
 - (iii) During the Term, Mr Clegg will remain employed by Stafford Borough Council and seconded to Cannock Chase Council by agreement under section 113 of the Local Government Act 1972. Council agree to share the full costs of the Joint Chief Executive post with Stafford Borough Council on a 50%/50% basis, accepting that current base salary for the post will be increased by 15%, during the Term, to reflect its increased responsibilities across two Councils.

- (iv) That a £20,000 budget is set aside to enable independent support and advice to be procured to progress the business case (with Stafford Borough Council also setting aside £20,000 for this purpose).
- (v) That for the period of the interim arrangements no changes are made to the existing interim arrangements in relation to the Local Returning Officer and Local Electoral Registration Officer for Cannock Chase Council with the duties remaining with the Head of Governance and Corporate Services.
- (vi) That, the Interim Joint Chief Executive be delegated authority to carry out any functions currently delegated to the Managing Director within the Constitution (except those relating to the roles of the Returning Officer and Electoral Registration Officer).
- (vii) That in order to provide adequate cover arrangements and to provide a mechanism in relation to conflicts of interests that the Interim Joint Chief Executive is delegated authority to appoint an Interim Deputy, from the existing Senior Management, for Cannock Chase Council. The Deputy post being delegated authority to undertake the role of Head of Paid Service function in the absence of the Interim Joint Chief Executive and to be subject to a 10% uplift for the 12-month period commencing 1 August 2021.
- (viii) That a non-decision-making Shared Services Board be established consisting of the Leader and Deputy (or nominee) of each Council together with the Interim Joint Chief Executive, Interim Deputies for each Council and Shared Service Client Leads of each Authority as appropriate. The Board will report to both Councils with proposals for consideration.
- (ix) That the Head of Governance Services together with the Head of Human Resources, in consultation with the Leader of the Council are authorised to finalise the necessary legal and HR arrangements in relation to the above recommendations.

3 Key Issues and Reasons for Recommendations

Key Issues

- 3.1 Following the resignation of the Managing Director of Cannock Chase Council the opportunity has arisen to consider the further sharing of services and in particular the appointment of a Joint Chief Executive for Stafford Borough Council and Cannock Chase Council.
- 3.2 In order to progress such proposals Members and Officers from the respective Councils have considered the rationale and objectives of sharing a Chief Executive and joint principles have been agreed together with the potential scope of services and functions to be shared.
- 3.3 The proposal is to appoint a Joint Chief Executive for an initial 14-month period to
 - Effect an initial 2-month handover period between the Joint Chief Executive and the current Interim Managing Director.

- Develop an initial business case and proposals for future development.
 - Understand the management and political aspirations, needs and priorities of each Council to be able to determine the most effective potential management structure.
 - Consideration of the options for the sharing model going forward and the necessary governance arrangements as outlined above.
 - The timetable for implementation and milestones of proposals.
- 3.4 The report sets out the Terms of Reference for the post together with Terms and Conditions of the 14-month appointment, the support arrangements required to develop the business case and manage each authority together with governance arrangements for this initial period.
- 3.5 A progress report is to be submitted after 8 months in relation to an outline business case and the effectiveness of the sharing arrangements.
- 3.6 If after eight months either party felt the arrangements were not working, the Interim Chief Executive would support Cannock Chase Council to consider and implement alternative arrangements, with the sharing arrangements terminating after the 14-month period.
- 3.7 A successful outline Business Case would detail the governance arrangements for the continuation of the Joint Chief Executive post, the proposed sharing model to be adopted and the proposed timetable for implementation of further shared services.

Reasons for Recommendations

- 3.8 The appointment of an Interim Joint Chief Executive requires each Council to put in place the necessary infrastructure to support the post holder in undertaking the overall management of two authorities and to develop a Business Case for further shared services.

4 Relationship to Corporate Priorities

- 4.1 The potential to share a Chief Executive and further shared services is considered to be a key element in making the Council financially resilient and providing the necessary capacity and resilience for the delivery of the priorities set out in the Corporate Plan 2021-24 and the management of the business of the Council.

5 Report Detail

Background

- 5.1 The sharing of services and management teams is becoming a common theme in order to address financial and capacity issues, with this model currently existing within Staffordshire at Staffordshire Moorlands / High Peak and within

Worcestershire at Bromsgrove / Redditch Councils and Malvern Hills / Wychavon Councils

- 5.2 Cannock Chase and Stafford Borough have been sharing services since 2010-12 as a result of an initial business case and Memorandum of Understanding (Appendix 1) being agreed by both Councils in 2009.
- 5.3 The first phase of shared services was in relation to support services with the Monitoring Officer role initially being shared and subsequently Finance, Internal Audit, Risk & Resilience, Legal, Information Technology and Human Resources being shared. In addition, front facing services of Building Control and Revenues and Benefits were also shared.
- 5.4 A second phase involving Environmental Services was considered by both Councils in April 2019. The report to the respective Cabinets also looked at Digital/Customer services and the Planning Systems with both Councils agreeing to review the options for further collaboration and Phase 2 of the Environmental Services Review, including the potential for further shared services, after a period of 18-24 months.
- 5.5 Following the resignation of Cannock Chase Council's Managing Director in February 2021 a formal approach was made to Stafford Borough Council in relation to the Stafford Borough Council Chief Executive acting as an Interim Joint Chief Executive for a period of 12 months.
- 5.6 The 12-month initial period being to enable a Business Case for a Joint Chief Executive, and further shared services, to be developed between Stafford Borough Council and Cannock Chase Council.
- 5.7 That subject to a positive outcome to the formal approach a further report (this report) was to be submitted to both Councils detailing the rationale and terms and conditions for the proposal to share a Chief Executive on an initial 12-month interim basis.

Rationale and Objectives for sharing of a Chief Executive

- 5.8 Following the submission of the proposal to share a Chief Executive for an initial 12-month period each Council have considered their rationale and objectives for further sharing.
- 5.9 Discussions have taken place at each Leadership Team, Cabinet Briefing and with Group Leaders and the rationale and objectives outlined below have been agreed in principle.
- 5.10 In accordance with the existing Memorandum of Understanding (MOU) (Appendix 1) the overriding principle of any further sharing or collaboration is to maintain the identity, independence, and integrity of each authority.
- 5.11 Each Council and its Cabinet would retain control over delivery of each Council's services, including the level of budgetary provision for particular services and policy.

5.12 In addition to the principles as contained in the MOU the current drivers for sharing a Chief Executive and wider sharing include: -

- (i) To make each Council, in particular the management structure, more resilient, flexible, adaptable, and sustainable into the future.
- (ii) Ability to recruit and retain high calibre management.
- (iii) Increased service resilience and capacity.
- (iv) Ability to manage peaks and troughs and volatility in demand for services.
- (v) Share existing strengths and to develop best practice across the two Councils.
- (vi) To provide impetus for digital and customer related transformation.
- (vii) Minimises corporate overheads.
- (viii) Explore opportunities for further sharing and collaboration in order to:
 - secure further savings and efficiencies.
 - realign contracts to provide both potential savings from procurement and contractor overhead.
 - alignment and integration of service specific ICT systems.
 - generation of external income from trading etc.

5.13 In light of the impact of the pandemic, the initial focus of sharing is seen to be providing the resilience and capacity throughout both organisations to undertake its ongoing response and recovery to the pandemic but more importantly to strategically reshape its service provision reflecting the opportunities the pandemic has created.

5.14 The future funding of local government is uncertain and therefore both Councils need to identify further efficiencies and savings from a revised sharing and collaboration model to safeguard their long-term financial sustainability.

5.15 One of the key external factors for considering sharing a Chief Executive and a wider sharing model between the two Councils is the prospect of local government re-organisation. Whilst the Government's plans for progressing this have slowed down largely due to the pandemic, there is still a keen interest in this particularly for councils who choose to do this collaboratively. Whilst this proposal is limited only to sharing of officers and services, it would demonstrate collaboration and an opportunity to improve service delivery/efficiency/capacity and potentially deliver future financial savings.

Scope of services /functions to be Shared

5.16 In order to achieve the key objectives both Councils recognise that the scope for sharing or collaboration should not be unduly restricted.

- 5.17 Cannock Chase Council does however manage its own housing stock and in accordance with legislation its Housing Revenue Account is a ring-fenced service and hence is outside the scope of sharing.
- 5.18 In addition to the above, both Councils have proposed that the Economic Development service and in particular its inward investment function should remain with each Council at the present time as there is the potential for conflict of interests / competition between the two Councils.
- 5.19 Other potential functions that require further deliberation include the local planning function and elections, but both are considered to be in scope at this stage.

Terms of Reference for Interim Joint Chief Executive

- 5.20 The sharing of services to date has been undertaken in accordance with the Memorandum of Understanding between the two authorities and on production of a valid Business Case. However, the sharing of a Chief Executive is potentially more complex in terms of the scope of the sharing in terms of Management Teams, the required Governance arrangements at Member level and the requirement for protocols to deal with potential conflicts of interests.
- 5.21 In order to properly assess such arrangements, it is proposed than an Interim Joint Chief Executive be appointed for 14 months.
- 5.22 The interim arrangement or trial basis would enable the Interim Chief Executive to
- Spend an initial 2 months effecting a handover with the current Interim Managing Director
 - develop an initial business case and proposals for future development.
 - understand the management and political aspirations, needs and priorities of each Council to be able to determine the most effective potential management structure.
 - Consideration of the options for the sharing model going forward and the necessary governance arrangements as outlined above; and
 - The timetable for implementation and milestones of proposals.
- 5.23 The appointment for 14 months would allow sufficient time for a two-month handover period, before the development of the business case in the following 6 months. It will enable both Councils to assess the effectiveness of the shared Chief Executive arrangements and then to proceed with implementation of a revised management structure and governance arrangements.
- 5.24 In light of the existing commitments of each authority additional independent support is likely to be required by the Joint Chief Executive to develop the Business Case.
- 5.25 Support is likely to be required to undertake the necessary high level analytical review of service levels/ performance and costs for the relevant services; to look at potential sharing models and to determine a potential timeline for implementation based upon improvements to service delivery and savings

available. Project management support in addition to HR and Legal advice will also be required.

- 5.26 It is proposed that an initial £40,000, to be split equally by both authorities, is set aside to undertake such work.
- 5.27 Particular governance issues to be resolved during this 14-month period, if a valid business case existed, will include:
- (i) Revised Memorandum of Understanding/Terms of Reference.
 - (ii) The preferred sharing 'model'.
 - (iii) Interim and future Appointment Process.
 - (iv) Interim and future Terms and Conditions, including remuneration.
 - (v) HR/Legal /Financial/Governance arrangements.
 - (vi) Returning Officer roles
 - (vii) Basis of sharing savings and costs.
 - (viii) Performance Management.
 - (ix) Dispute resolution and termination clauses.
 - (x) Communications – internal and external.
 - (xi) Service delivery, short term capacity and priority issues.
- 5.28 In addition to the above support arrangements and in order to provide cover in the absence of the Joint Chief Executive and to provide a mechanism in relation to conflicts of interests that the Joint Chief Executive is delegated authority to appoint a Deputy, from the existing Senior Management, for Each Authority. The Deputy posts being delegated authority to undertake the role of Head of Paid Service function in the absence of the Joint Chief Executive and to be subject to a 10% uplift for the 12-month period commencing 1 August 2021.
- 5.29 In order to provide flexibility in the sharing model, during the initial eight-month period any senior management vacancies would be reviewed and only be appointed to on a temporary basis at each Council until the business case is approved.
- 5.30 If after eight months either party felt the arrangements were not working, the Chief Executive would support Cannock Chase Council to consider and implement alternative arrangements.

Terms and conditions of the Interim Joint Chief Executive

- 5.31 In light of the interim arrangements proposed it is necessary from a contractual standpoint for the Joint Chief Executive to remain employed by their original authority, Stafford Borough Council. As detailed in 5.26 further consideration will be given to future Terms and Conditions if sharing is to continue as part of further sharing arrangements.

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- 5.32 Existing terms and conditions will therefore remain in place subject to the remuneration of the Joint Chief Executive reflecting the increased demands, complexity, and accountability of the role.
- 5.33 Benchmarking has been undertaken with three sharing arrangements within the West Midlands Region as follows.

Authority	Population	Employees	Salary Range	
	Est 2019	FTE	From	To
Bromsgrove	99,881	361	124,000	129,000
Redditch	85,261	342		
Malvern	78,698	153	118,000	127,000
Wychavon	129,433	211		
High Peak	92,666	212	154,400	167,450
Staffordshire Moorlands	98,435	101		
Cannock Chase	100,762	385		
Stafford Borough	137,280	209		

Comparisons with other authorities revealed the following salary ranges:

Babergh and Mid Suffolk	£119,000 to £138,000
Eastbourne and Lewes	£147,000 to £152,000
Adur and Worthing	£125,000

- 5.34 The current salary of the Chief Executive for Stafford Borough is £117, 216 and in light of the additional accountabilities and complexity of the 14-month appointment a consolidated 15% increase in remuneration is warranted in line with relevant market factors. The national pay award relevant to the Chief Executive position/ Joint Chief Executive post remains unresolved at the date of this report.

Governance Arrangements

- 5.35 It is proposed that a Shared Services Board be established to oversee the preparation of the outline Business Case. The initial Board to comprise at Member Level of the Leader and Deputy (or nominee) from each Council and at Officer level of the Joint Chief Executive, Interim Deputies and the Shared Services Lead of each Council. Independent Advisors will be invited to the Board as appropriate.
- 5.36 It is proposed that the Board is a non- decision-making arrangement however the meetings of the Board will be minuted and circulated to the members of each Council in accordance with normal practice.
- 5.37 The Shared Services Board will receive updates in progressing the business case and provide a steer of direction as required.
- 5.38 Meetings are to be scheduled on a two-monthly basis (more frequent if required) with the venues (including remote meetings as appropriate), and chair of each meeting, alternating between each authority,

- 5.39 The Board will report to both Councils detailing proposals for consideration commencing with the interim report. after 8 months, on the effectiveness of the interim sharing arrangements and an outline business case for ongoing sharing between the two Councils.

6 Implications

6.1 Financial

The Financial Implications are referred to throughout the report and are to be contained within the existing approved budget.

Savings will accrue to both Councils as a result of the resignation of the Managing Director at Cannock Chase Council and the sharing of costs in relation to the existing Chief Executive at Stafford Borough Council.

Provision also exists at both Councils in relation to a Shared Services Transformation Reserve.

The cost of the Acting Joint Chief Executive, Deputies and Support costs are to be shared equally by Cannock Chase Council and Stafford Borough Council

6.2 Legal

In accordance with Section 113 of the Local Government Act 1972 a local authority can enter into an agreement with another local authority to place its officers at the disposal of the other authority. Officers subject to sharing arrangements are able to take binding decisions on behalf of the body at whose disposal they are placed, although they remain an employee of their original authority for employment and superannuation purposes.

Section 112 of the Local Government Act 1972 local authorities have a duty to appoint such officers as they think necessary to enable them to discharge their own functions and any functions which they carry out for another local authority.

Section 4 of the Local Government and Housing Act 1989 places a duty on each Council to designate one of their officers as the Head of Paid Service and to provide that officer with such staff, accommodation and other resources as are, in his/her opinion, sufficient to allow his/her duties under this section to be performed.

Section 151 of the Local Government Act 1972 requires every local authority to make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs.

6.3 Human Resources

The HR implications are referred to throughout the report.

6.4 Risk Management

There are a number of risks associated with the proposal to move to a Shared Chief Executive role, and potential shared management team. The benefit of an initial interim arrangement is the opportunity to maintain a lead for service delivery whilst assessing the pros and cons of such an arrangement at first hand. A full risk register would be established as part of the project.

Although the sharing of services to date has provided an infrastructure to mitigate such risks, the sharing of senior management either in part or full, will involve short term resilience and capacity issues as well as issues of culture and change.

In order to mitigate this risk it is proposed additional external capacity and impartial advice, analytical and project management skills together with legal and HR advice, is provided to take this forward in the short term and to support transformation of services in the medium term.

The initial risk is the creation of uncertainty in both organisations and the potential loss of focus on key priorities in the short term.

6.5 Equality & Diversity

None.

6.6 Climate Change

None.

7 Appendices to the Report

Appendix 1: Memorandum of Understanding.

Previous Consideration

None.

Background Papers

None.

Memorandum of Understanding

Cannock Chase District Council and Stafford Borough Council

Objective: to explore and where applicable implement the joining up and sharing of certain service provision for the 2 communities based upon the following principles:

- Providing services at a reduced cost, whilst retaining at the outset a minimum of the current level of service quality with the long term aim being to improve quality of service provision
- Securing cost savings for taxpayers
- Keeping jobs local to both districts and within Staffordshire
- Building capacity and expertise to offer the best services to citizens
- Creating opportunities for staff and Councils in delivering shared services Ensuring that the customer experience is not diminished

We will do this by:

- Identifying common areas of service delivery and exploring how we can be more efficient by working together
- Making implementation decisions based on robust business cases which are supported by evidence
- Ensuring that the implementation of identified shared service areas is actioned jointly
- Acknowledging that a better service may be best delivered from one service point
- Ensuring equity in the way the services and their management are shared between the two councils
- Agreeing a common message before it is shared with staff, Trade Unions, citizens and suppliers.
- Maintaining our independence by promoting and preserving our separate identities.