EAST STAFFORDSHIRE BOROUGH COUNCIL

Minutes of a Meeting of East Staffordshire Borough Council held in the Council Chamber, Town Hall, Burton upon Trent on Monday 28th February 2022.

Present:

Councillor Mrs P L Ackroyd (Mayor) in the Chair

Councillors G A Allen P Hudson (Deputy Mayor)

Mrs B Ashcroft S A Hussain
E W R Barker Mrs J Jones
L Beech Mrs J A Killoran

Mrs B Brady G Lamb
K J Builth Ms A J Legg

A A Chaudhry R Lock A Clarke S McGarry R A Faulkner S McKiernan M T Fitzpatrick M Metcalfe D F Fletcher **B G Peters** D Florence-Jukes S Sankey S P Gaskin M Shrive D Goodfellow C Sylvester Mrs V J Gould Mrs B Toon R G W Grosvenor L Walker T Hadley P Walker

G Hall C V Whittaker
H Hall C Wileman

Officers Present:

The Chief Executive, the Heads of Service (Sal Khan and Mark Rizk), the Interim Solicitor, the Chief Accountant, the Enforcement Team Leader, the Corporate and Commercial Manager, the Enterprise Manager, the Principal Democratic Services Officer and the Senior Democratic Services Officer.

185/22 **DECLARATIONS OF INTEREST**

Councillor S McKiernan informed Council that her husband, John McKiernan served on the Burton Town Deal Board, as Parish Council Representative and stated that this would not preclude her from taking part in the discussions at item no 13 Burton upon Trent Towns Fund Programme on the agenda.

Councillor D Florence-Jukes informed Council that she served as a trustee on the Red Lion House Charity and stated that this would not preclude her from taking part in the discussions at item no 9 Review of Polling Districts/Places and Stations on the agenda.

Councillor D F Fletcher informed Council that he had previously served as a Parish Council representative on the Burton Town Deal Board, but had recently resigned from the position, he stated this would not preclude him from taking part in the

discussions at item no 13 Burton upon Trent Towns Fund Programme on the agenda.

186/22 **MINUTES**

The public minutes of the meeting of the Borough Council held on 13th December 2021 were approved as a correct record and signed by the Mayor.

THOSE VOTING FOR	THOSE VOTING	THOSE ABSTAINING
THE MOTION	AGAINST	
Councillor		
Mrs P L Ackroyd		
G Allen		
Mrs B Ashcroft		
E W R Barker L Beech		
Mrs B Brady K J Builth		
A A Chaudhry A Clarke		
R A Faulkner		
M T Fitzpatrick D F Fletcher		
S P Gaskin		
D Goodfellow		
Mrs V J Gould		
R G W Grosvenor		
T Hadley P Hudson		
S A Hussain		
Mrs J Jones		
Mrs J A Killoran		
G Lamb		
Ms A J Legg		
R Lock		
S McGarry M Metcalfe		
B G Peters		
S Sankey		
M Shrive		
C Sylvester		
Mrs B Toon		
L Walker		
P Walker C V Whittaker		
C Wileman		

The Leader made a statement on the current situation in Ukraine as follows "we condemn in the strongest possible terms Russia's unprecedented military aggression against Ukraine. By its unprovoked and unjustified military actions, Russia is grossly violating international law and undermining global security and stability. We deplore the loss of life and the human suffering As an Authority, wherever possible we will ourselves work with all our partners, both locally and nationally, to provide assistance to those in need and in particular those with family members in East Staffordshire and we hope for a swift and peaceful end to the hostilities".

The Mayor echoed these sentiments.

188/22 **URGENT BUSINESS**

In accordance with Rule 12, the Mayor indicated that she had received an urgent motion on notice.

The motion had been received from Councillor R G W Grosvenor and the motion read as follows:

"This council is horrified to see the events in Ukraine and deplores the actions of the Russian President. We recognise that in East Staffordshire we have many residents either from Ukraine or with friends and family still in the country and will do all we can through our services to help those residents. As such we call on our MPs Kate Griffiths and Michael Fabricant to reach out to our residents of Ukrainian origin to provide assistance to those residents to help them get family, partners and friends out of the country as soon as possible should they wish to leave."

The Mayor indicated that she had considered the motion to be urgent and it would therefore be dealt with at this meeting.

The motion was duly moved and seconded.

The Mayor invited Council to debate the motion under Rule 16 (Rules of debate).

In accordance with the voting, the Mayor declared the motion carried.

THOSE VOTING FOR THE MOTION	THOSE VOTING AGAINST	THOSE ABSTAINING
Councillor	AGAINGT	
Mrs P L Ackroyd		
G Allen		
Mrs B Ashcroft		
E W R Barker		
L Beech		
Mrs B Brady		
K J Builth		
A A Chaudhry		
A Clarke		
R A Faulkner		
M T Fitzpatrick		
D F Fletcher		
D Florence-Jukes		
S P Gaskin		
D Goodfellow		
Mrs V J Gould		
R G W Grosvenor		
T Hadley		
G Hall		
H Hall		
P Hudson		
S A Hussain		
Mrs J Jones		
Mrs J A Killoran		
G Lamb		
Ms A J Legg		
R Lock		
S McGarry		
S McKiernan		
M Metcalfe		
B G Peters		
S Sankey		
M Shrive		1
C Sylvester		
Mrs B Toon		
L Walker		
P Walker		
C V Whittaker		
C Wileman		

In accordance with Rule 12, the Mayor indicated that she had received an urgent motion on notice.

The motion had been received from Councillor D Florence-Jukes and the motion read as follows:

"This Council expresses its shock and sadness to learn of the tragic death from suicide of Mrs Angela Winter. The Council offers its sincere condolences to the late Mrs Winter's family and friends. A recent coroner's inquest found that in June 2021, Mrs Winter and her husband, Michael Winter, were homeless and sleeping rough on the Washlands close to the town centre of Burton for over three weeks after losing their home and jobs during the pandemic. It concluded that Mrs Winter became so distraught about her predicament that she stormed off from Mr Winter. Five days later Mr Winter discovered his wife's dead body in a wooded area close to a children's play area on the Washlands. He stayed with his wife's body for a further three days before alerting Police. The coroner recorded a verdict of suicide from prescribed medication. The incident has attracted widespread local and national media coverage, prompting questions as to how this tragedy could have happened. Staffordshire Live reported that the couple 'fell through the cracks.' This Council calls for an urgent inquiry to establish what contact and in what capacity, the YMCA Rough Sleepers Outreach Team, the Housing Options Team, and the Open Spaces Team had with Mr and Mrs Winter during June of 2021 and report findings back to Full Council."

The motion was duly moved and seconded.

The Mayor indicated that she did not consider the motion to be urgent and that, in accordance with Rule 12.2, she would refer the urgency of the motion to Council. She asked Council to indicate if they considered the motion not urgent.

In accordance with the voting, the Mayor declared the motion carried and stated that as Council agreed that the matter was deemed not urgent, this motion would be deferred to the next ordinary Council meeting.

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
Mrs P L Ackroyd	K J Builth	
G Allen	A A Chaudhry	
Mrs B Ashcroft	M T Fitzpatrick	
E W R Barker	D F Fletcher	
L Beech	D Florence-Jukes	
Mrs B Brady	R G W Grosvenor	
A Clarke	T Hadley	
R A Faulkner	H Hall	
S P Gaskin	S A Hussain	
D Goodfellow	G Lamb	
Mrs V J Gould	Ms A J Legg	
G Hall	S McKiernan	
P Hudson	M Shrive	
Mrs J Jones	L Walker	
Mrs J A Killoran	P Walker	
R Lock		
S McGarry		
M Metcalfe		
B G Peters		
S Sankey		
C Sylvester		
Mrs B Toon		
C V Whittaker		
C Wileman		

At this juncture the Mayor indicated that she would amend the order of business for the meeting and that item number 13 (Burton upon Trent Towns Fund Programme) would be dealt with as the next item on the agenda.

189/22 BURTON UPON TRENT TOWNS FUND PROGRAMME

The report of the Chief Executive on the evaluation of the projects within the Towns Fund Programme was considered.

The following appendices had been circulated with the report:

- Appendix 1: Scrutiny Committee Observations;
- Appendix 2: Towns Fund Programme Business Case Summaries:
- Appendix 4: Project D Summary of Capital Financial Implications.

It was proposed and duly seconded:

"12.1 That having reviewed the programme and considered the business case assessment as listed in Sections 5.7 and 5.8 of the report, as well as the observations of the Scrutiny Committee held on 9th February 2022, Council ratifies the business cases for the projects being taken forward at this time and officers submit the Summary Document to the Department for Levelling Up, Housing and Communities as detailed in the Heads of Terms (as required);

12.2 That Council agrees to the principle of the final decision to purchase the Molson Coors High Street Campus property being delegated to the Leader of the Council and Deputy Leader for Regeneration and Planning Policy, in consultation with the Leader of the Opposition, Leader of the Independent Alliance Group and the Chief Executive;

12.3 That Council agrees to the principle of the financial decision on the asset transfer of the Market Hall and Crossley House in exchange for the Burton Library property being delegated to the Leader of the Council and Deputy Leader for Regeneration and Planning Policy, in consultation with the Leader of the Opposition, Leader of the Independent Alliance Group and the Chief Executive at the relevant time"

An amendment was proposed by Councillor G Allen and seconded by Councillor D Goodfellow:

The amendment read as follows:

"to add at 12.4 In the event that Staffordshire County Council look to dispose of the Burton Market Hall building at any point in the future, East Staffordshire Borough Council retains the exclusive right to reacquire the property at the market rate of the time, as identified by an independent valuation report commissioned by East Staffordshire Borough Council."

The amendment was debated.

Upon a vote being taken the Mayor declared the amendment was carried.

THOSE VOTING FOR THE MOTION	THOSE VOTING AGAINST	THOSE ABSTAINING
Councillor	7.07	
Mrs P L Ackroyd	K J Builth	Mrs B Toon
G Allen	A A Chaudhry	C Wileman
Mrs B Ashcroft	M T Fitzpatrick	
E W R Barker	D F Fletcher	
L Beech	D Florence-Jukes	
Mrs B Brady	R G W Grosvenor	
A Clarke	T Hadley	
R A Faulkner	H Hall	
S P Gaskin	S A Hussain	
D Goodfellow	G Lamb	
Mrs V J Gould	Ms A J Legg	
G Hall	S McKiernan	
P Hudson	M Shrive	
Mrs J Jones	L Walker	
Mrs J A Killoran	P Walker	
R Lock		
S McGarry		
M Metcalfe		
B G Peters		
S Sankey		
C Sylvester		
C V Whittaker		

A further amendment was proposed by Councillor D Fletcher and seconded by Councillor M T Fitzpatrick:

The amendment read as follows:

- "12.1.1 That having reviewed the programme and considered the business case assessment as listed in Sections 5.7 and 5.8 of the report, as well as the observations of the Scrutiny Committee held on 9th February 2022, Council ratifies the business case for Project D being taken forward at this time and officers submit the Summary Document to the Department for Levelling Up, Housing and Communities as detailed in the Heads of Terms (as required);
- 12.1.2 That having reviewed the programme and considered the business case assessment as listed in Sections 5.7 and 5.8 of the report, as well as the observations of the Scrutiny Committee held on 9th February 2022, Council ratifies the business case for the Project E being taken forward at this time and officers submit the Summary Document to the Department for Levelling Up, Housing and Communities as detailed in the Heads of Terms (as required);
- 12.1.3 That having reviewed the programme and considered the business case assessment as listed in Sections 5.7 and 5.8 of the report, as well as the observations of the Scrutiny Committee held on 9th February 2022, Council ratifies the business case for Project G being taken forward at this time and officers submit the Summary Document to the Department for Levelling Up, Housing and Communities as detailed in the Heads of Terms (as required);

- 12.1.4 That having reviewed the programme and considered the business case assessment as listed in Sections 5.7 and 5.8 of the report, as well as the observations of the Scrutiny Committee held on 9th February 2022, Council ratifies the business case for Project H being taken forward at this time and officers submit the Summary Document to the Department for Levelling Up, Housing and Communities as detailed in the Heads of Terms (as required);
- 12.1.5 That having reviewed the programme and considered the business case assessment as listed in Sections 5.7 and 5.8 of the report, as well as the observations of the Scrutiny Committee held on 9th February 2022, Council ratifies the business case for Project J being taken forward at this time and officers submit the Summary Document to the Department for Levelling Up, Housing and Communities as detailed in the Heads of Terms (as required);
- 12.2 That Council agrees to the principle of the final decision to purchase the Molson Coors High Street Campus property being delegated to the Leader of the Council and Deputy Leader for Regeneration and Planning Policy, in consultation with the Leader of the Opposition, Leader of the Independent Alliance Group and the Chief Executive;
- 12.3 That Council agrees to the principle of the financial decision on the asset transfer of the Market Hall and Crossley House in exchange for the Burton Library property being delegated to the Leader of the Council and Deputy Leader for Regeneration and Planning Policy, in consultation with the Leader of the Opposition, Leader of the Independent Alliance Group and the Chief Executive at the relevant time"

The Mayor informed Council there would be a short adjournment to allow Councillors to read and consider the amendment circulated.

The amendment was debated.

The Mayor indicated that a named vote would be taken for this item.

Upon a vote being taken, in accordance with rule 17.5, as there was an equal number of votes for and against the amendment, the Mayor used her casting vote and declared the amendment defeated.

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
K J Builth	Mrs P L Ackroyd*	Mrs B Brady
A A Chaudhry	G Allen	
M T Fitzpatrick	Mrs B Ashcroft	
D F Fletcher	E W R Barker	
D Florence-Jukes	L Beech	
R G W Grosvenor	A Clarke	
T Hadley	R A Faulkner	
H Hall	S P Gaskin	
S A Hussain	D Goodfellow	
Mrs J Jones	Mrs V J Gould	
G Lamb	G Hall	
Ms A J Legg	P Hudson	
S McKiernan	Mrs J A Killoran	
M Shrive	R Lock	
Mrs B Toon	S McGarry	
L Walker	M Metcalfe	
P Walker	B G Peters	
C V Whittaker	S Sankey	
C Wileman	C Sylvester	

^{*}In accordance with rule 17.5 the Mayor used her casting vote and declared the amendment defeated.

A further amendment was proposed by Councillor D Florence-Jukes and seconded by Councillor S McKiernan:

The amendment read as follows:

"at 12.2 delete "the Leader of the Opposition, Leader of the Independent Alliance Group and the Chief Executive" and replace with "the Council"; at 12.3 delete "the Leader of the Opposition, Leader of the Independent Alliance Group and the Chief Executive" and replace with "the Council"".

The amendment was debated.

The Mayor indicated that a named vote would be taken for this item.

Upon a vote being taken the Mayor declared the amendment was defeated.

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
K J Builth	Mrs P L Ackroyd	
A A Chaudhry	G Allen	
M T Fitzpatrick	Mrs B Ashcroft	
D F Fletcher	E W R Barker	
D Florence-Jukes	L Beech	
R G W Grosvenor	Mrs B Brady	
T Hadley	A Clarke	
H Hall	R A Faulkner	
S A Hussain	S P Gaskin	
G Lamb	D Goodfellow	
Ms A J Legg	Mrs V J Gould	
S McKiernan	G Hall	
M Shrive	P Hudson	
L Walker	Mrs J Jones	
P Walker	Mrs J A Killoran	
	R Lock	
	S McGarry	
	M Metcalfe	
	B G Peters	
	S Sankey	
	C Sylvester	
	Mrs B Toon	
	C V Whittaker	
	C Wileman	

At this juncture the Mayor informed Council that the meeting would be reconvened in private session, to allow for the two confidential appendices in respect of this item to be considered and discussed.

190/22 **EXCLUSION OF THE PRESS AND PUBLIC**

Resolved:

That in accordance with Section 100(A)(4) of the Local Government Act, 1972 the Press and public be excluded from the following item on the agenda for the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

At this juncture the meeting was reconvened in public session.

192/22 BURTON UPON TRENT TOWNS FUND PROGRAMME

In accordance with section 15.1.6 of the Rules of Procedure, it was proposed by Councillor D Goodfellow and seconded by Councillor S McGarry to proceed to the vote on the substantive motion.

The Mayor indicated that a named vote would be taken for this item. Upon a vote being taken the Mayor declared the motion was carried.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
Mrs P L Ackroyd	K J Builth	C Wileman
G Allen	A A Chaudhry	
Mrs B Ashcroft	M T Fitzpatrick	
E W R Barker	D F Fletcher	
L Beech	D Florence-Jukes	
Mrs B Brady	R G W Grosvenor	
A Clarke	T Hadley	
R A Faulkner	H Hall	
S P Gaskin	S A Hussain	
D Goodfellow	Mrs J Jones	
Mrs V J Gould	G Lamb	
G Hall	Ms A J Legg	
P Hudson	S McKiernan	
Mrs J Killoran	M Shrive	
R Lock	Mrs B Toon	
S McGarry	L Walker	
M Metcalfe	P Walker	
B G Peters	C V Whittaker	
S Sankey		
C Sylvester		

The first amendment therefore became the substantive motion. In accordance with the voting the Mayor declared the substantive motion was defeated.

THOSE VOTING FOR THE MOTION	THOSE VOTING AGAINST	THOSE ABSTAINING
Councillor		
Mrs P L Ackroyd	Mrs B Brady	
G Allen	K J Builth	
Mrs B Ashcroft	A A Chaudhry	
E W R Barker	M T Fitzpatrick	
L Beech	D F Fletcher	
A Clarke	D Florence-Jukes	
R A Faulkner	R G W Grosvenor	
S P Gaskin	T Hadley	
D Goodfellow	H Hall	
Mrs V J Gould	S A Hussain	
G Hall	Mrs J Jones	
P Hudson	G Lamb	
Mrs J A Killoran	Ms A J Legg	
R Lock	S McKiernan	
S McGarry	M Shrive	
M Metcalfe	Mrs B Toon	
B G Peters	L Walker	
S Sankey	P Walker	
C Sylvester	C V Whittaker	
	C Wileman	

At this juncture Councillor Mrs J A Killoran left the meeting.

193/22 HACKNEY CARRIAGE AND PRIVATE HIRE POLICY REVIEW OF VEHICLE REQUIREMENTS FOLLOWING PETITION RECEIVED FROM THE HACKNEY CARRIAGE AND PRIVATE HIRE TRADE

The report of the Head of Service on the Hackney Carriage and Private Hire Euro Emissions policy review following a petition received by the Authority dated 15th November 2021 and presented to the Licensing Committee on 15th December 2021 was considered.

The following appendices had been circulated with the report:

- Appendix 1: Licensing Committee Report 17th November 2021;
- Appendix 2: Minutes of the Licensing Committee of 17th November 2021;
- Appendix 3: Petition dated 15th November 2021;
- Appendix 4: Evidence referred to in the Petition;
- Appendix 5: Report for Licensing Committee dated 15th December 2021.

It was proposed and duly seconded:

"that full Council endorse the recommendations of the Licensing Committee to approve that age limits of Hackney Carriage and Private Hire Vehicles take precedence over the Emissions date of 1st April 2022 and amends the Hackney Carriage and Private Hire Policy 2019-22 accordingly".

An amendment was proposed by Councillor B G Peters and seconded by Councillor M Metcalfe:

The amendment read as follows:

"That this Council extend the introduction of the Emissions date from 1st April 2022 to 1st October 2022 and amends the hackney Carriage and Private Hire Policy 2019-22 accordingly."

The amendment was debated.

The Mayor indicated that a named vote would be taken for this item.

Upon a vote being taken the Mayor declared the amendment was carried.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION	THOSE VOTING AGAINST	THOSE ABSTAINING
Councillor	AGAMOT	
Mrs P L Ackroyd	K J Builth	
G Allen	A A Chaudhry	
Mrs B Ashcroft	M T Fitzpatrick	
E W R Barker	D F Fletcher	
L Beech	D Florence-Jukes	
Mrs B Brady	R G W Grosvenor	
A Clarke	T Hadley	
R A Faulkner	H Hall	
S P Gaskin	S A Hussain	
D Goodfellow	G Lamb	
Mrs V J Gould	Ms A J Legg	
G Hall	S McKiernan	
P Hudson	M Shrive	
J Jones	L Walker	
R Lock	P Walker	
S McGarry	C Wileman	
M Metcalfe		
B G Peters		
S Sankey		
C Sylvester		
Mrs B Toon		
C V Whittaker		

The amendment therefore became the substantive motion. The Mayor indicated that a named vote would be taken for this item. In accordance with the voting the Mayor declared the substantive motion was carried.

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
Mrs P L Ackroyd	K J Builth	
G Allen	A A Chaudhry	
Mrs B Ashcroft	M T Fitzpatrick	
E W R Barker	D Fletcher	
L Beech	D Florence-Jukes	
Mrs B Brady	R G W Grosvenor	
A Clarke	T Hadley	
R A Faulkner	H Hall	
S P Gaskin	S A Hussain	
D Goodfellow	G Lamb	
Mrs V J Gould	Ms A J Legg	
G Hall	S McKiernan	
P Hudson	M Shrive	
Mrs J Jones	L Walker	
R Lock	P Walker	
S McGarry		
M Metcalfe		
B G Peters		
S Sankey		
C Sylvester		
Mrs B Toon		
C V Whittaker		
C Wileman		

194/22 INDEPENDENT REMUNERATION PANEL – SUPPLEMENTARY REPORT ON MEMBERS ALLOWANCES

The report of the Chief Executive on the recommendations of the Independent Remuneration Panel contained in the Supplementary report on Members Allowances was considered. Appendix 1: A review of Special Responsibility Allowances for the Chairs of Scrutiny and Audit Committees for East Staffordshire Borough Council had been circulated with the report.

The Mayor invited Dr Declan Hall (Chairman of the Independent Remuneration Panel) to present the report.

It was proposed and duly seconded:

"That the recommendations detailed on page 4 of the appendix to the report be approved as follows:

- 1) That the Special Responsibility Allowance payable to the Chairs of the three new Scrutiny Committees and the one new Audit Committee be £3,682, subject to any applicable index;
- 2) That the SRAs for the three Chairs of the Scrutiny Committees and one Chair of the Audit Committee be paid from the date of the Council's Annual meeting on 13th May 2022."

An amendment was proposed by Councillor D Florence-Jukes and seconded by Councillor R G W Grosvenor.

The amendment read as follows:

"at 1) delete "£3,682" and replace with "£2,301.25"."

The amendment was debated.

Upon a vote being taken the Mayor declared the amendment was defeated.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION	THOSE VOTING AGAINST	THOSE ABSTAINING
Councillor	AGAIITO	
A A Chaudhry	Mrs P L Ackroyd	K J Builth
D Florence-Jukes	G Allen	M T Fitzpatrick
R G W Grosvenor	Mrs B Ashcroft	D Fletcher
T Hadley	E W R Barker	S McKiernan
H Hall	L Beech	
S A Hussain	Mrs B Brady	
G Lamb	A Clarke	
Ms A J Legg	R A Faulkner	
M Shrive	S P Gaskin	
L Walker	D Goodfellow	
P Walker	Mrs V J Gould	
	G Hall	
	P Hudson	
	Mrs J Jones	
	R Lock	
	S McGarry	
	M Metcalfe	
	B G Peters	
	S Sankey	
	C Sylvester	
	Mrs B Toon	
	C V Whittaker	
	C Wileman	K

The original motion therefore became the substantive motion. In accordance with the voting the Mayor declared the substantive motion was carried.

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
Mrs P L Ackroyd	K J Builth	A A Chaudhry
G Allen	D Florence-Jukes	D F Fletcher
Mrs B Ashcroft	R G W Grosvenor	S A Hussain
E W R Barker	T Hadley	G Lamb
L Beech	H Hall	S McKiernan
Mrs B Brady	Ms A J Legg	
A Clarke	M Shrive	
R A Faulkner	L Walker	
M T Fitzpatrick	P Walker	
S P Gaskin		
D Goodfellow		
Mrs V J Gould		
G Hall		
P Hudson		
Mrs J Jones		
R Lock		
S McGarry		
M Metcalfe		
B G Peters		
S Sankey		
C Sylvester		
Mrs B Toon		
C V Whittaker		
C Wileman		

195/22 APPROVAL OF CHANGES TO THE CONSTITUTION

The report of the Interim Monitoring Officer on the proposed changes to the Constitution was considered.

The following appendices had been circulated with the report:

- Appendix 1: 3A Council Meeting Rules of Procedure Feb 2022 Draft:
- Appendix 2: 3Ea Audit Committee Feb 2022 Draft;
- Appendix 3: 3G Licensing Committee Feb 2022 Draft;
- Appendix 4: 3H Planning Committee Feb 2022 Draft;
- Appendix 5: 3la Scrutiny (Value for Money Council Services) Committee Feb 2022 Draft;
- Appendix 6: 3lb Scrutiny (Community Regeneration) Committee Feb 2022 Draft;
- Appendix 7: 3Ic Scrutiny (Environment and Health & Wellbeing) Committee Feb 2022 Draft;
- Appendix 8: 3J Chief Officer Standards Committee Feb 2022 Draft;
- Appendix 9: Part 2 Articles Feb 2022 Draft;
- Appendix 10: Overview of how Freedom of the Borough and Aldermen are nominated and then appointed.

It was proposed and duly seconded:

"that the Council approve the amended Terms of Reference and Procedure Rules set out in the appendices to the report and agreed to update and amend the Constitution with effect from 13 May 2022".

An amendment was proposed by Councillor G Lamb and seconded by Councillor K J Builth.

The amendment read as follows:

"To change in the Constitution proposals in Part 3H: Planning Committee that under QUORUM 2.9 A quorum shall be no less than 5 Councillors."

The amendment was debated.

Upon a vote being taken the Mayor declared the amendment was carried.

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
Mrs P L Ackroyd		
G Allen		
Mrs B Ashcroft		
E W R Barker		
L Beech		
Mrs B Brady		
K J Builth		
A A Chaudhry		
A Clarke		
R A Faulkner		
M T Fitzpatrick		
D F Fletcher		
D Florence-Jukes		
S P Gaskin		
D Goodfellow		
Mrs V J Gould		
R G W Grosvenor		
T Hadley		
G Hall		
H Hall		
P Hudson		
S A Hussain		
Mrs J Jones		
G Lamb		
Ms A J Legg		
R Lock		
S McGarry		
S McKiernan		
M Metcalfe		
B G Peters		
S Sankey		
M Shrive		
C Sylvester		
Mrs B Toon		
L Walker		
P Walker		
C V Whittaker		
C Wileman		

The amendment therefore became the substantive motion.

In accordance with the voting the Mayor declared the substantive motion was carried.

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
Mrs P L Ackroyd	R G W Grosvenor	S McKiernan
G Allen		
Mrs B Ashcroft		
E W R Barker		
L Beech		
Mrs B Brady		
K J Builth		
A A Chaudhry		
A Clarke		
R A Faulkner		
M T Fitzpatrick		
D F Fletcher		
D Florence-Jukes		
S P Gaskin		
D Goodfellow		
Mrs V J Gould		
T Hadley		
G Hall		
H Hall		
P Hudson		
S A Hussain		
Mrs J Jones		
G Lamb		
Ms A J Legg		
R Lock		
S McGarry		
M Metcalfe		
B G Peters		
S Sankey		
M Shrive		
C Sylvester		
Mrs B Toon		
L Walker		
P Walker		
C V Whittaker		
C Wileman		

The Mayor indicated that as the time had reached 22.45hrs and in accordance with Rule 6.6 she would adjourn the meeting to a date to be fixed, as it had become impossible to carry out the business properly.

Minutes of an adjourned Meeting of East Staffordshire Borough Council held in the Council Chamber, Town Hall, Burton upon Trent on 7th March 2022.

Present:

Councillor Mrs P L Ackroyd (Mayor) in the Chair

Councillors G A Allen

P Hudson (Deputy Mayor)

Mrs B Ashcroft E W R Barker S A Hussain Mrs J Jones

L Beech

Mrs J A Killoran

Mrs B Brady K J Builth

G Lamb Ms A J Legg

A A Chaudhry

R Lock

A Clarke R A Faulkner S McGarry

M T Fitzpatrick

S McKiernan M Metcalfe

D F Fletcher D Florence-Jukes **B G Peters** S Sankey

S P Gaskin D Goodfellow M Shrive

Mrs V J Gould R G W Grosvenor C Sylvester Mrs B Toon

T Hadley

L Walker P Walker

G Hall

C V Whittaker

H Hall

C Wileman

Officers Present:

The Chief Executive, the Heads of Service (Sal Khan and Mark Rizk), the Monitoring Officer, the Interim Solicitor, the Chief Accountant, the Accountant, the Corporate and Commercial Manager, the Principal Democratic Services Officer and the Senior Democratic Services Officer.

At the recommencement of the meeting Councillor D Florence-Jukes informed Council she served as a trustee on the Red Lion House Charity; Councillor G Lamb informed Council he was a community governor at Outwoods School; Councillor E W R Barker informed Council he was President of Wootton Cricket Club and Councillor Helen Hall informed Council she was a trustee of Queen's Street Community Centre.

196/22 REVIEW OF POLLING DISTRICTS/PLACES AND STATIONS

The report of the Returning Officer on the responses to and recommendations from the consultation in respect of the review of Polling districts, polling places and Polling Stations was considered.

Appendix A: List of Polling Districts, Polling Places and Polling Stations had been circulated with the report.

Resolved:

- 1) That the responses to the consultation on the Polling District Review be noted and the recommendations set out in the appendix be approved;
- 2) That two changes be made to the existing Polling Districts, Polling Places and Polling Stations.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION	THOSE VOTING AGAINST	THOSE ABSTAINING
Councillor		16.15.10
Mrs P L Ackroyd		K J Builth
G Allen		T Hadley
Mrs B Ashcroft		G Lamb
E W R Barker		S McKiernan
L Beech		M Shrive
Mrs B Brady		L Walker
A A Chaudhry		
A Clarke		
R A Faulkner		
M T Fitzpatrick		
D F Fletcher		
D Florence-Jukes		
S P Gaskin		
D Goodfellow		
Mrs V J Gould		
R G W Grosvenor		
G Hall		
H Hall		
P Hudson		
S A Hussain		
Mrs J Jones		
Mrs J A Killoran		
Ms A J Legg		
R Lock		
S McGarry		
M Metcalfe		
B G Peters		
S Sankey		
C Sylvester		
Mrs B Toon		
P Walker		
C V Whittaker		
C Wileman		

197/22 MEDIUM TERM FINANCIAL STRATEGY 2022/23

The report of the Head of Service (Sal Khan) on the Medium Term Financial Strategy (MTFS) for the period covering 2022/23 to 2024/25, including the Council's Capital Programme and the Asset Management and Capital Strategy was considered.

The following appendices had been circulated with the report:

- Appendix A: Detailed Budget Summary 2022/23 2023/24;
- Appendix B: Capital Programme;
- Appendix C; Reserves Forecast;
- Appendix D: Asset Management and Capital Strategy 2022/23.

It was proposed and duly seconded:

- "1) that the Medium Term Financial Strategy 2022/23 to 2024/25 which includes the revenue budget, capital programme and the asset management and capital strategy be approved; and that the level and appropriateness of reserves be noted;
- 2) That the revised Council Tax Reduction Scheme effective from 1st April 2022, as outlined in Section 11 of the report be approved."

An amendment was proposed by Councillor R G W Grosvenor and seconded by Councillor D Florence-Jukes.

The amendment read as follows:

Proposals		Savings against Budget £	Commentary
1	Revised Parking Tariff	60,000	Assumes up to 2 hours £1.50; up to 3 hours £2.50; over 3 hours- £5.50.
2	Cease three after Free Parking Scheme (estimate)	133,600	This is based on the previous (pre Covid) estimate of the cost of the scheme, adjusted by the estimated % impact of the pandemic on Car Parking Income for 2022/23. This is a reasonable estimate as any refreshed data of current user numbers after 3pm would not indicate how many would continue to use the service should charges be introduced.

Cabinet Membership – 17,3659
Remove Cabinet Support
Member Roles and align the
number of Deputy Leaders
in line with the revised
Scrutiny Committees (i.e. a
reduction of 1 Deputy
Leader)

4	Mayor – Reduce the role to Chairing Council meetings only, with a small allowance budget of £2,165 remaining	51,844	In addition to the allowance budget mention opposite there is a small amount of other overhead costs in this area that would not be saved.
5	Member Briefings – all meetings to be held virtually	196	This takes into account the average cost of member expenses for these briefings and the average number of briefings per annum.
6	Pass on the Charge for using the Car Parking App to the Customer	8,250	Based on the current budget. The contractual arrangements mean that either the Council absorbs the set admin cost or passes it onto the customer. This assumes it is passed onto the customer.
	Total	271,259"	

The Mayor informed Council there would be a short adjournment to allow Councillors to read and consider the amendment circulated.

The amendment was debated.

Upon a vote being taken the Mayor declared the amendment was defeated.

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
D Florence-Jukes	Mrs P L Ackroyd	K J Builth
R G W Grosvenor	G Allen	A A Chaudhry
H Hall	Mrs B Ashcroft	M T Fitzpatrick
G Lamb	E W R Barker	T Hadley
	L Beech	S A Hussain
	Mrs B Brady	Ms A J Legg
	A Clarke	S McKiernan
	R A Faulkner	M Shrive
	D F Fletcher	L Walker
	S P Gaskin	P Walker
	D Goodfellow	
	Mrs V J Gould	
	G Hall	
	P Hudson	
	Mrs J Jones	
	Mrs J A Killoran	
	R Lock	
	S McGarry	
	M Metcalfe	
	B G Peters	
	S Sankey	
	C Sylvester	
	Mrs B Toon	
	C V Whittaker	
	C Wileman	

The original motion therefore became the substantive motion.

As required by the Rules of Procedure, a named vote was taken. In accordance with the voting the Mayor declared the substantive motion as carried.

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
Mrs P L Ackroyd	D Florence-Jukes	K J Builth
G Allen	R G W Grosvenor	A A Chaudhry
Mrs B Ashcroft	T Hadley	M T Fitzpatrick
E W R Barker	H Hall	D F Fletcher
L Beech	S A Hussain	Ms A J Legg
MRs B Brady	G Lamb	S McKiernan
A Clarke	M Shrive	
R A Faulkner	L Walker	
S P Gaskin	P Walker	
D Goodfellow		
Mrs V J Gould		
G Hall		
P Hudson		
Mrs J Jones		
Mrs J A Killoran		
R Lock		
S McGarry		
M Metcalfe		
B G Peters		
S Sankey		
C Sylvester		
Mrs B Toon		
C V Whittaker		
C Wileman		

198/22 TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STATEMENT 2022/23

The report of the Head of Service (Sal Khan) on the Treasury Management Strategy Statement and Annual Investment Strategy 2022/23 was considered.

Appendix A: Treasury Management Strategy Statement and Annual Investment Strategy 2022/23 had been circulated with the report:

The Mayor indicated that a named vote would be taken for this item.

Resolved:

That the Council the Treasury Management Strategy Statement, Minimum Revenue Provision Policy and Annual Investment Strategy 2022/23 as set out in Appendix A to the Report be approved.

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
Mrs P L Ackroyd	D Florence-Jukes	K J Builth
G Allen	R G W Grosvenor	A A Chaudhry
Mrs B Ashcroft	T Hadley	M T Fitzpatrick
E W R Barker	S A Hussain	D F Fletcher
L Beech	M Shrive	H Hall
Mrs B Brady	L Walker	G Lamb
A Clarke	P Walker	Ms A J Legg
R A Faulkner		S McKiernan
S P Gaskin		
D Goodfellow		
Mrs V J Gould		
G Hall		
P Hudson		
Mrs J Jones		
Mrs J A Killoran		
R Lock		
S McGarry		
M Metcalfe		
B G Peters	_	
S Sankey		
C Sylvester		
Mrs B Toon		
C V Whittaker		
C Wileman		

199/22 **COUNCIL TAX SETTING 2022/23**

The report of the Head of Service (Sal Khan) on setting the amount of Council Tax for 2022/23 was considered.

The following appendices had been circulated with the report:

- Appendix 12.1 Special Expenses;
- Appendix 12.2 Council Tax Base;
- Appendix 12.3 Calculation of Council Tax & East Staffordshire Borough Council Tax Rates;
- Appendix 12.4 Major Precepts;
- Appendix 12.5 Total Council Tax Rates;
- Appendix 12.6 Local Precepts.

Council noted:

- 1) That the paper was based upon the revenue budget for 2022/23, as set out elsewhere on the agenda;
- 2) That the Executive Decision Record Council Tax Base 2022/23 of the 1st December 2021 calculated the amounts highlighted at Appendix 12,2 in

accordance with regulations made under section 33(5) of the Local Government Finance Act;

- 3) That the amounts at Appendix 12.3 were calculated by the Council for the year 2022/23 in accordance with sections 31 to 36 of the Local Government Finance Act 1992;
- 4) That the amounts in Appendix 12.4 be noted as precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwelling shown.

It was proposed and duly seconded:

- "1) That for the purpose of section 35e of the Local Government Finance Act 1992, all expenses incurred by the Council in 2022/23 be declared general expenses, apart from those expenses which are incurred by the Council in performing in a part of its area a function performed elsewhere in its area by a body with power to issue a precept to the Council, as listed at Appendix 12.1 and were therefore special expenses;
- 2) That having calculated in each case the aggregate of the amounts of the schedule at Appendix 12.3(h) and the amounts in Appendix 12.4, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the amounts shown on Appendix 12.5 of the report as the amounts of council tax for the year 2022/23, for each of the categories of dwellings shown".

In accordance with section 15.1.6 of the Rules of Procedure, it was proposed by Councillor D F Fletcher and seconded by Councillor G Hall to proceed to the vote on the motion.

Upon a vote being taken the Mayor declared the motion was carried.

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
Mrs P L Ackroyd	D Florence-Jukes	
G Allen	R G W Grosvenor	
Mrs B Ashcroft	T Hadley	
E W R Barker	H Hall	
L Beech	S A Hussain	
Mrs B Brady	G Lamb	
K J Builth	M Shrive	
A A Chaudhry	L Walker	
A Clarke	P Walker	
R A Faulkner		
M T Fitzpatrick		
D F Fletcher		
S P Gaskin		
D Goodfellow		
Mrs V J Gould		
G Hall		
P Hudson		
Mrs J Jones		
Mrs J A Killoran		
Ms A J Legg		
R Lock		
S McGarry		
S McKiernan		
M Metcalfe		
B G Peters		
S Sankey		
C Sylvester		
Mrs B Toon		
C V Whittaker		
C Wileman		

Upon a vote being taken the Mayor declared the original motion was carried.

As required by the Rules of Procedure, a named vote was taken.

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
Mrs P L Ackroyd	D Florence-Jukes	K J Builth
G Allen	R G W Grosvenor	A A Chaudhry
Mrs B Ashcroft	T Hadley	M T Fitzpatrick
E W R Barker	H Hall	D F Fletcher
L Beech	S A Hussain	Ms A J Legg
Mrs B Brady	G Lamb	S McKiernan
A Clarke	M Shrive	
R A Faulkner	L Walker	
S P Gaskin	P Walker	
D Goodfellow		
Mrs V J Gould		
G Hall		
P Hudson		
Mrs J Jones		
Mrs J A Killoran		
R Lock		
S McGarry		
M Metcalfe		
B G Peters		
S Sankey		
C Sylvester		
Mrs B Toon		
C V Whittaker		
C Wileman		

200/22 NOTICE OF MOTION

Councillor D Goodfellow had put forward the following motion, in accordance with Rule 14, which had been duly seconded:

"Nature is in long term decline. With 41 per cent of wild species in decline nationally, and 15 per cent facing extinction. The requirement to take action to reverse this is urgent. We recognise that:

- A) Nature provides us with vital support systems ['ecosystem services'], and severe declines in biodiversity are undermining nature's productivity and adaptability, posing excessive uncertainty for our economies and wellbeing;
- B) A thriving natural environment underpins a healthy, happy, prosperous society;
- C) The impacts of climate change are driving nature's decline, while restoring and protection of natural habitat provides a wide variety of cost-effective benefits to mitigate and adapt to the impacts of climate change.
- D) Many areas of work of local authorities across the county of Staffordshire have an impact on nature, and we have responsibilities to make decisions to protect and enhance it.

In order to support the recovery of nature across Staffordshire, and in recognition of new obligations under the Environment Act 2021, this council commits to:

- 1. work with partners and stakeholders to develop and deliver a Local Nature Recovery Strategy (LNRS) that sits within the national Nature Recovery Network and underpins planning, development and land management decisions. As part of this, we will:
- a) improve and protect the landscape and flora and fauna's resilience to climate change, providing natural solutions to reduce carbon and manage flood risk, and sustaining vital ecosystems;
- b) prioritise the restoration of peatland habitats and other high quality natural habitats, and adopt a peat-free policy wherever possible for all council contracts and supplies;
- c) formulate a tree policy and strategy which is underpinned by Nature Recovery Network mapping across the local authority area, pursuing a "right tree, right place" approach;
- d) after satisfying safety and visibility priorities and the Highway Code, develop verge cutting regimes that maximise potential for carbon storage, sequestration and biodiversity;
- e) seek to manage council-owned land for the benefit of wildlife by 2030 (in line with UK Government's national and international commitments);
- f) meet the Environment Act requirement of 10% biodiversity net-gain commitment across all council-owned land, aspiring to increase this wherever possible;
- g) carry out a carbon audit of our key landholdings to establish how carbon storage/sequestration could be improved.
- 2. Embed nature's recovery into all strategic plans and policy areas, not just those directly related to the environment. Ensure the LNRS is well understood across the authority and complements other relevant plans and strategies.
- 3. Working with partners, demonstrate leadership by supporting and engaging with businesses, communities and the wider public to take action to put nature into recovery.
- 4. Build tackling the nature crisis into Cabinet's environmental portfolio to provide a designated lead.
- 5. The Council designates a lead officer to coordinate the council operations in relation to the ecological emergency.
- 6. Integrate the targets, objectives and outcomes of this motion with those outlined in the existing Climate Emergency Declaration to ensure measures to tackle climate issues do not contravene the principles of enhancing biodiversity.
- 7. Where appropriate, the council will invest in nature-based solutions to climate change in order to tackle the nature crisis and climate emergency together.

- 8. Through the LNRS, develop an evidence-based action plan including short and long-term targets for putting nature into recovery by 2030. Areas of focus will include: Land management; Biodiversity; Roads and highways; Planning and development; Air quality; Transforming urban spaces; Health and wellbeing; People and communities; Education and awareness.
- 9. That the relevant Overview and Scrutiny Committee monitor the LNRS and ESBC's action to support biodiversity and nature recovery on an annual basis. 10. Work closely with councils across Staffordshire via the recently formed Staffordshire Sustainability Board and other partners to promote Local Nature Recovery."

An amendment was proposed by Councillor L Walker and seconded by Councillor R G W Grosvenor.

The amendment read as follows:

"Knocking down buildings releases embodied Carbon dioxide CO2 which is stored them and contributes to climate change".

The Mayor invited Council to debate the amendment. Councillor L Walker subsequently withdrew the amendment.

The Mayor invited Council to debate the original motion under Rule 16 (Rules of debate).

In accordance with the voting, the Mayor declared the original motion was carried.

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
Mrs P L Ackroyd		
G Allen		
Mrs B Ashcroft		
E W R Barker		
L Beech		
Mrs B Brady		
K J Builth		
A A Chaudhry		
A Clarke		
R A Faulkner		
M T Fitzpatrick		
D F Fletcher		
D Florence-Jukes		
S P Gaskin		
D Goodfellow		
Mrs V J Gould		
R G W Grosvenor		
T Hadley		
G Hall		
H Hall		
P Hudson		
S A Hussain		
Mrs J Jones		
Mrs J A Killoran		
G Lamb		
Ms A J Legg		
R Lock		
S McGarry		
S McKiernan		
M Metcalfe		
B G Peters		
S Sankey		
M Shrive		
C Sylvester		
Mrs B Toon		
L Walker		
P Walker		
C V Whittaker		
C Wileman		

201/22 NOTICE OF MOTION

Councillor R G W Grosvenor had put forward the following motion, in accordance with Rule 14, which had been duly seconded:

"Section 3A part 18.9 and 18.10 deals with the answering of questions at council meetings. This council reaffirms its commitment to this and does not condone, or support, members who fail to answer questions raised during council meetings."

The Mayor invited Council to debate the motion under Rule 16 (Rules of debate).

In accordance with the voting, the Mayor declared the motion was defeated.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
K J Builth	Mrs P L Ackroyd	Mrs J Jones
A A Chaudhry	G Allen	Mrs B Toon
M T Fitzpatrick	Mrs B Ashcroft	C V Whittaker
D F Fletcher	E W R Barker	
D Florence-Jukes	L Beech	
R G W Grosvenor	Mrs B Brady	
T Hadley	A Clarke	
H Hall	R A Faulkner	
S A Hussain	S P Gaskin	
G Lamb	D Goodfellow	
Ms A J Legg	Mrs V J Gould	
S McKiernan	G Hall	
M Shrive	P Hudson	
L Walker	Mrs J A Killoran	
P Walker	R Lock	
	S McGarry	
	M Metcalfe	
	B G Peters	
	S Sankey	
	C Sylvester	
	C Wileman	

202/22 NOTICE OF MOTION

Councillor D Florence-Jukes had put forward the following motion, in accordance with Rule 14, which had been duly seconded:

"In response to an invitation sent to all Members from the Mayor of East Staffordshire, Councillor Patricia Ackroyd, to attend Council premises for alcoholic drinks and nibbles immediately following the Council meetings of the Council on the 28th February and 14th March 2022. This Council resolves to cease using taxpayers money to purchase alcohol and food for consumption by Members following meetings of the Full Council."

The Mayor invited Council to debate the motion under Rule 16 (Rules of debate).

In accordance with the voting, the Mayor declared the motion was defeated.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
K J Builth	Mrs P L Ackroyd	M T Fitzpatrick
A A Chaudhry	G Allen	D F Fletcher
D Florence-Jukes	Mrs B Ashcroft	H Hall
R G W Grosvenor	E W R Barker	S A Hussain
T Hadley	L Beech	Mrs J Jones
G Lamb	Mrs B Brady	S McKiernan
M Shrive	A Clarke	Mrs B Toon
L Walker	R A Faulkner	C V Whittaker
P Walker	S P Gaskin	
	D Goodfellow	
	Mrs V J Gould	
	G Hall	
	P Hudson	
	Mrs J A Killoran	
	Ms A J Legg	
	R Lock	
	S McGarry	
	M Metcalfe	
	B G Peters	
	S Sankey	
	C Sylvester	
	C Wileman	

203/22 QUESTIONS

No questions had been received prior to the meeting.

204/21 EXCLUSION OF THE PRESS AND PUBLIC

Resolved:-

That in accordance with Section 100(A)(4) of the Local Government Act, 1972 the Press and public be excluded from the following item on the agenda for the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.