

## EAST STAFFORDSHIRE BOROUGH COUNCIL

Minutes of an Extraordinary Meeting of East Staffordshire Borough Council held in the Council Chamber, Town Hall, Burton upon Trent on Monday 27<sup>th</sup> September 2021.

### Present:

Councillor Mrs P L Ackroyd (Mayor) in the Chair

Councillors	G A Allen	Mrs J Jones
	Mrs B Ashcroft	Mrs J A Killoran
	E W R Barker	Ms A J Legg
	Mrs B Brady	S McGarry
	A Clarke	S McKiernan
	R A Faulkner	M Metcalfe
	M T Fitzpatrick	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
	H Hall	P Walker
	P Hudson (Deputy Mayor)	C V Whittaker
	S A Hussain	C Wileman

### Officers Present:

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

Apologies for absence were received from Councillors L Beech, K J Builth, A A Chaudhry, T Hadley, G Hall and G Lamb.

#### 162/21 **DECLARATIONS OF INTEREST**

There were no declarations of interest at the commencement of the meeting.

#### 163/21 **URGENT BUSINESS**

The Mayor indicated that in accordance with Rule 18.7 four urgent questions had been received prior to the meeting: two questions from Councillor R G W Grosvenor and two questions from Councillor D Florence-Jukes. The Mayor indicated that as one of the urgent questions received from Councillor D Florence-Jukes was a confidential matter, it would be considered at the end of the meeting when the press and public had been excluded from the meeting.

Councillor R G W Grosvenor asked one supplemental question in respect of question 14/21 and the Leader provided a response at the meeting. Councillor D Florence-

Jukes asked one supplemental question in respect of 15/21 and the Leader provided a response at the meeting.

A copy of the questions and the responses are appended to these minutes.

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

The motion had been received from Councillor P Walker and the motion read as follows:

“This Council condemns all business that use Fire and Rehire tactics on workers We resolve to support unions lawfully engaged in protecting their members against Fire and Rehire tactics and call on business to instead enter meaningful negotiations with workers and their representatives.

To this end the council resolves, as far as it is legally possible to

- i) Exclude from the councils list of authorised suppliers any business using Fire and Rehire tactics within a three year period of such a contract coming into force, updating our ethical procurement and social value policy to achieve this aim;
- ii) Notify the councils authorised suppliers of its intention to procure in accordance with (i) above and to further preclude procuring from business who themselves do business with those using such Fire and Rehire tactics;
- iii) Instruct the Chief Executive of the Council to identify the appropriate officer to liaise with Trade Unions and keep a record of business who have threatened workers with Fire and Rehire contracts”.

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 to be urgent.

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

Voting concerning the above decision was as follows:

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

164/21 **APPOINTMENT OF INTERIM MONITORING OFFICER (OCTOBER 2021-  
JANUARY 2022)**

The report of the Chief Executive on the appointment of an Interim Monitoring Officer with effect from 4<sup>th</sup> October 2021 was considered.

**Resolved:**

That Chris Eberley be appointed as the Interim Monitoring Officer of the Council pursuant to the Local Government and Housing Act 1989 (as amended) and all related legislation, with effect from 4<sup>th</sup> October 2021.

Voting concerning the above decision was as follows:

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

165/21 **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.

Mayor



**EAST STAFFORDSHIRE BOROUGH COUNCIL  
Extraordinary Council Meeting 27<sup>th</sup> September 2021**

Urgent Question received from Councillor R G W Grosvenor and response from the Leader of the Council Councillor D Goodfellow.

- 13/21 **Recently an unelected individual and who is not employed by ESBC (Mr Ben Robinson Chair of the Town Deal Board) has communicated privately in email and publicly through the Burton Mail that the Market Hall Service operated under the responsibility of ESBC is at risk of being lost. Here are the exact words used “Can I also repeat that simple opposition to the proposal does not get us anywhere and we have to be mindful of the long term future of the Market Hall and Library services have to be safeguarded and if this proposal E is rejected then the future of both will be in jeopardy” Councillors of this authority, who are the ultimate decision makers, have not been advised that that service is at risk and it has not been identified as such in recent MTFs documents.**

**Could the Leader of the Council answer either yes or no to this question: Is the individual correct, is the market hall service now at risk?**

Yes. For more information, please see my Leaders Blog which will be published later this evening.

Urgent Question received from Councillor R G W Grosvenor and response from the Leader of the Council Councillor D Goodfellow.

- 14/21 **I note from the weekly briefing with interest that a LGA peer review is tentatively scheduled for December 6<sup>th</sup>. What is the procedures for this, the terms of reference and is it the intention of the peer review to conduct interviews / carry out communication with ALL members.**

As the weekly member briefing confirms, the peer review is tentatively scheduled for **the week commencing** December 6th.

I appreciate that the Councillor may be unfamiliar with the Peer Review process, as the LGA state that it is expected that all councils will complete a corporate peer challenge at least every five years - which means that he ought to have completed at least one review during his

tenure as Leader, however none took place, so I presume it was a past decision not to participate in this improvement process.

The peer challenge approach involves a team of experienced officers and members spending time with another council as 'peers' to provide challenge and share learning. Participating councils receive a comprehensive report and recommendations from the peer team and then identify their own action plan to respond. All these documents will subsequently be published in a timely manner.

Peer challenges are an established tool that supports councils to drive improvements and efficiency in specific areas, including finance, communications, health and wellbeing, equalities, housing, planning and more.

The peer review tentatively arranged for w/c 6th December, will involve peer teams spending time with the council to identify and address issues and challenge progress across themes including local priorities and outcomes, organisational and place leadership, governance and culture, financial planning and management and capacity for improvement.

Whereas perhaps others in the past may have considered it unnecessary, I welcome the opportunity to have such a review - as our Council driving improvement and efficiency will only benefit our residents and businesses.

As the Councillor will know, our Corporate Plan Target VFM12 is to "Work with the LGA to deliver a peer review to another council/s to build up to hosting one in East Staffordshire" to be achieved by March 2022. This was originally due to be done last year, but deferred to this year's Corporate Plan, as the LGA had paused the Peer Review process due to Covid.

We are currently in the process of arranging to be part of a Peer Review at another Council in advance of our Review, and these arrangements are being finalised.

As the weekly member briefing clearly states, more details will follow in the coming weeks - as the process is currently being agreed. Again, I would forgive the Councillor's unfamiliarity with the Peer Review process, but would confirm that it will provide the opportunity for all members to provide input as they wish.

At the risk of repeating myself, more details will follow in the coming weeks.

Urgent Question received from Councillor D Florence-Jukes and response from the Leader of the Council Councillor D Goodfellow.

15/21 **With regard to this Authorities employment of HGV drivers within the Refuse Collection Department, will the Leader appraise Members of what steps are being taken to retain the employment of current drivers to ensure this Authority is able to main the statutory responsibility of refuse collection services.**

I refer Councillor Florence-Jukes to the (Private) Cabinet Item entitled IMPACT OF NATIONAL SHORTAGE OF HGV DRIVERS circulated to her on 25/8/21 and discussed at IAG on 2/9/21 (and also discussed at LAG and LOAG following the usual procedure).

The recommendations outlined in the report were agreed by Cabinet on 13<sup>th</sup> September 2021 and are currently being implemented.