

Councillor Tony Nixon (Mayor)

Present (for all or part of the meeting):-

Councillors:

C A Baron	E G R Jones
J A Barron	P W Jones
R J Barron	W J Kemp
F Beatty	R Kenney
A R G Brown	P A Leason
R P Cooke	A M Loughran
A G Cooper	B McKeown
B M Cross	D McNaughton
M G Dodson	J A Nixon
A P Edgeller	G P K Pardesi
P M M Farrington	A N Pearce
I D Fordham	J M Pert
A T A Godfrey	M Phillips
A S Harp	J K Price
A D Hobbs	R M Smith
M V Holmes	R M Sutherland
J Hood	C V Trowbridge
R A James	M J Winnington

Officers in attendance:-

Mr T Clegg	-	Chief Executive
Mr I Curran	-	Head of Law and Administration
Mr R Simpson	-	Head of Operations
Dr T Redpath	-	Corporate Business and Partnerships Manager
Mr W Conaghan	-	Press and Communication Manager
Mr J Dean	-	Democratic Services Officer

C27 Minutes

Minutes of the previous meetings held on 20 July 2021 were agreed as a correct record.

C28 Apologies

Apologies for absence were received from Councillors M Green and P Roycroft.

C29 Announcements

The Mayor was pleased to have attended Victoria Park to mark the 110th Anniversary of its opening and enjoyed being part of the Mayor's Team versus the Council Officers Team in a Crown Green Bowls Match and thanked those who attended.

Continuing, the Mayor thanked those who supported the recent Battle of Britain Commemoration and Freedom Parade by Tactical Supply Wing.

C30 Public Question Time

The following questions had been received pursuant to Paragraph 11.1 of the Council Procedure Rules:-

(a) Maureen Alecock

"Does the Council accept that the Environment is a serious concern to all of us regardless of political affiliation and that it needs to work cross party on implementing it's Climate Change and Green Recovery Strategy. If so how has the Council so far worked on the strategy on a cross party basis?"

Councillor J K Price, Cabinet Member, Environment Portfolio, responded as follows:-

"The strategy was subject to consultation and was agreed by Members at full council. Over the next 6 months Officers will be moving forward on objective 2 of the strategy which is to work in partnership with communities and elected Members and part of that work will be to develop a climate change pledge which we will be requesting Members and communities sign up to. There will also be an opportunity for all Members to engage with carbon literacy training which is being developed".

As provided for under Paragraph 11.9 of the Council Procedure Rules, the following supplementary question was asked of Councillor Price:-

"Could Councillor Price provide specific examples of joint working with other bodies and details of those projects underway?"

Councillor Price undertook to reply to the supplementary question in writing.

(b) Alan Alecock

"Given the good news that the Borough Council is developing a tree planting strategy, can you tell me please:-

- 1/ When will the strategy be published?
- 2/ How many trees are planned to be planted?
- 3/ How will you engage with the general public in the planting?

Councillor J K Price, Cabinet Member, Environment Portfolio, responded as follows:-

“The current position with regards to the Tree Strategy is that the Strategic Planning and Placemaking team (formerly known as Forward Planning) will consider policies, including those relating to trees, through the new Local Plan process and will lead on the production of a Tree Strategy for the Council with input from suitably qualified arboriculturists. The New Local Plan is currently scheduled for adoption in October 2022 before policy requirements can be applied to new developments through the planning application process.

The Council is responsible for a number of trees in the borough and our Operations service already has a maintenance plan for its existing tree stock.

In addition to this the Council are currently investigating options for carbon sequestration, (removing carbon from our atmosphere) for example by planting more trees, and we will be working with landowners in relation to this. We have already reported that additional tree planting will be taking place on the newly designated local nature reserve at Fairway”.

As provided for under Paragraph 11.9 of the Council Procedure Rules, the following supplementary question was asked of Councillor Price:-

“Did the Council intend to follow the lead as set by Derrington Millennium Park at Stafford Common?”

Councillor Price undertook to reply to the supplementary question in writing.

(c) Netta Cartwright

“Regarding paras 2.1.2 and 2.1.4 in the Climate Change and Green Recovery report to Cabinet on 5th August 2021, how is the council going to deliver these important strategies by engaging with the wider public, private sector, young people of different age groups and specific groups like Stafford’s “There is No Planet B” (TINPB)? EG How can the council further build on the eco schools network and TINPB that, together, have been running eco workshops on environmental issues since 2010 for the TINPB annual Stafford green arts festivals at St Chad's church?”

Councillor J K Price, Cabinet Member, Environment Portfolio, responded as follows:-

“We have already mentioned that officers will be concentrating on objective 2 of the strategy over the next 6 months. The Council has supported ‘There is No Planet B’ for a number of years now and has provided a small amount of funding toward their annual event this year, the

Mayor also attends these events. The eco schools' network has been running virtually over the past 18 months and are actively encouraged to share best practice between each other about environmental issues and projects they have or are planning to implement.

As provided for under Paragraph 11.9 of the Council Procedure Rules, the following supplementary question was asked of Councillor Price:-

“When will the stated wider groups be established and would it include TINPB?”

Councillor Price undertook to reply to the supplementary question in writing.

(d) James Greenhalgh

“In his submission to the Cabinet meeting of 25th August 2021, Councillor Price includes Milestone Ref. 2.3.2 (see p101 of the Agenda of that meeting) which states that ‘Small panel of community representatives set up to support formulation and delivery of community-based initiatives’.

Can Councillor Price tell me what progress has been made so far in the setting up of that panel, and what criteria the Council has already used or will use in determining which community members will be selected as representatives on the panel?”

Councillor J K Price, Cabinet Member, Environment Portfolio, responded as follows:-

“An advert has been drawn up and will be issued on our website as a press release – and this will be distributed to traditional media and via the Council’s social media channels once it has been agreed. This will outline what we are looking for and will invite anyone who is interested in joining the panel to submit an expression of interest”.

As provided for under Paragraph 11.9 of the Council Procedure Rules, the following supplementary question was asked of Councillor Price:-

“Was there a proposed date for the first meeting of the Panel?”

Councillor Price undertook to reply to the supplementary question in writing.

(e) Janet Hastilow

“Why is the established woodland area opposite to the proposed LNR not included in this proposal? This land is full of wildlife and is the foraging ground of badgers who live in the grounds of Streetscene and also home to foxes. This land is unsuitable for building as it floods and residents believe there is a covenant on this land”.

Councillor J K Price, Cabinet Member, Environment Portfolio, responded as follows:-

“The land referred to was not available to be included as part of the proposed LNR, as its potential future use is part of a current corporate review of the Council’s assets and potential enhancements that could be made to service provision.

The land is registered to the Council and there are no covenants registered against the title”.

(f) Simon Mountford

“What measures are going to be put in place to enable access to this LNR for those with mobility issues and how will the issue of dog fouling be addressed especially since there are cattle grazing in the fields?”

Councillor J K Price, Cabinet Member, Environment Portfolio, responded as follows:-

“The Stafford Brooks funding application does include plans for better access to the LNR, including those with mobility issues, however it should be recognised that most of the site is within the floodplain and that flooding can make access difficult.

After consulting with the grazier there are currently no issues with dog fouling. If an adverse situation does develop then it can be addressed through appropriate signage and provision of dog bins”.

(g) Claire Bacon

“What action will be taken to remove to unblock the river of fallen trees and how does the Council propose to remove the Himalayan Balsam and control its future growth? “

Councillor J K Price, Cabinet Member, Environment Portfolio, responded as follows:-

“A Management Plan for the new LNR is currently being prepared. An assessment of the different habitats found on site will look at how management can best be carried out to provide optimum conditions for wildlife. Tree and scrub management will be included within the new plan.

Any invasive plants will be recorded, and a strategy prepared for their control”.

As provided for under Paragraph 11.9 of the Council Procedure Rules, the following supplementary question was asked of Councillor Price:-

“How much of the Himalayan Balsam was to be removed?”

Councillor Price undertook to reply to the supplementary question in writing.

(h) Ms Diana Smith

“How does the Council intend that this project will be managed and what plans are there for informing and involving the public in this?”

Councillor J K Price, Cabinet Member, Environment Portfolio, responded as follows:-

“A Management Plan for the new LNR is being prepared. Many of the objectives for the site are long-term with at least a 10-year development phase. Once completed, the Management Plan will be posted on the Council’s website. An information sign will also be installed at the site entrance.

There is a lot of interest in the area from existing community groups, the developer of the new housing estate and other organisations. Volunteer work parties will be arranged through links with Staffordshire Wildlife Trust in due course”.

C31 Councillor Session

(a) Councillors A N Pearce, R P Cooke, A M Loughran, W J Kemp, G P K Pardesi and A T A Godfrey have submitted the following question in accordance with Paragraph 12.3(a) of the Council Procedure Rules:-

“Is it correct that at the meeting of the Cabinet on 5th August, the Leader of the Council described the meeting as having been ‘well publicised’ and, if so, does he, on reflection believe that to be an exaggeration as the only publicity was on the Council website.”

Councillor P M M Farrington, Leader of the Council, responded by confirming that he did make the statement above and went on to detail the advertising of the Cabinet meeting in question, which included press releases, In Your Area website, the Council’s social media platforms and local press.

(b) Councillor A M Loughran has submitted the following question in accordance with Paragraph 12.3(a) of the Council Procedure Rules:

“In the light of increasing evidence of dramatic Global Warming, can the Leader of the Council explain his administrations stubborn insistence of a carbon neutrality target of 2040?”

Councillor P M M Farrington, Leader of the Council, responded by confirming that the Council was fully committed to achieving net 0 carbon emissions by 2040, and it was clear that the starting point for

this was to look at its own operations. 75% of Local Authorities had declared a climate emergency, including Stafford Borough Council, and 4/5ths of Councils had formed the necessary action plans. Councillor Farrington listed a number of countries and the year they had proposed to reach a net 0 position, noting the current UK target date of 2050. It was not clear if other large organisations had been approached to detail their aspirations on this matter, however the Conservative Group of the Borough Council remained fully committed to the climate change agenda.

- (c) Councillor A T A Godfrey has submitted the following question in accordance with Paragraph 12.3(a) of the Council Procedure Rules:

“We have been told by this Conservative administration that they need to work with and have the support of the whole community in relation to the Climate Change and Green Recovery Strategy. How has the council so far worked with the whole community, including environmental and political groups? Can he explain to this Full Council meeting, in detail, his administrations cooperative dealings to date.”

Councillor P M M Farrington, Leader of the Council, responded by referring Members to Item No 8 on the agenda for the meeting and the answers to the Public Questions raised earlier in the evening, as provided by Councillor Price. Continuing Councillor Farrington quoted from the decision of the Cabinet at its meeting on 5 August 2021 in relation to this matter.

- (d) Councillor G P K Pardesi has submitted the following question in accordance with Paragraph 12.3(a) of the Council Procedure Rules:

“The Leader of the Council has publicly stated that Opposition Groups are not as interested as they make out in SBC’s Climate Change Strategy. How serious is this administration in being inclusive of them when no effort was made to involve the Littleworth Borough Councillors in plans to declare a Local Nature Reserve in their ward?”

Councillor P M M Farrington, Leader of the Council, responded by requesting that Councillor Pardesi retract her question. Following refusal of this request, Councillor Farrington detailed the number of occasions when Councillor Pardesi was informed of the activity in question and refuted the accusation that Members were not kept informed of Council activity within their Wards.

C32 Time Limit

The Mayor noted the expiration of the time limit associated with Councillor Session.

C33 Notice of Motion

Councillors A N Pearce and A T A Godfrey had given the following Notice of Motion in pursuant of Paragraph 13.1 of the Council Procedure Rules:-

“Whilst carbon reduction is given equal priority within the Council’s Business Plan with other objectives, it is clear that the amount of resource allocated to it within the budget is very different. For example, Economic Growth and Strategic Projects has a budget of £406,980 this year whereas there does not appear to be a specific budget for carbon reduction. This is borne out in the proposed plan for carbon reduction where almost all actions are to be sourced from within existing resources. This Council resolves to redress this when drawing up the budget for the coming financial year.”

The Notice of Motion was moved by Councillor A N Pearce and Seconded by Councillor A T A Godfrey.

As provided for in Paragraph 13.5 of the Council’s Constitution the item was referred to the Cabinet without debate.

C34 Climate Change and Green Recovery Progress Report

Considered the report of the Corporate Business and Partnerships Manager.

The Cabinet Member, Environment Portfolio introduced the report reiterating the Council’s commitment to addressing climate change. Councillor Price praised the work of Officers in this area, who had achieved much whilst simultaneously dealing with issues arising from the continuing Coronavirus pandemic.

Continuing, Councillor Price detailed the work undertaken since the implementation of the strategy in November 2020 and concluded his comments by moving that the recommendation as set out in paragraph 2 be approved.

The proposal was seconded by Councillor J M Pert.

Following questions raised and duly responded to regarding budget provision to achieve the aims of the report the matter was put to the vote and subsequently declared to be carried.

RESOLVED:- that the progress made be noted.

Councillor F Beatty undertook to provide a written response detailing the provision of electric charging points on Council owned car parks.

C35 Revised Taxi Licensing Policy and Licence Conditions 2020 to implement the Statutory Taxi and Private Hire Vehicles Standards.

Considered the report of the Licensing Manager.

The Cabinet Member, Environment Portfolio introduced the report by noting that at the time that the present Taxi Policy and Licence Conditions 2020 were approved at Council in September 2020, the Department for Transport (DFT) had just published its document on the Statutory Taxi & Private Hire Vehicles Standards. As there was very little time to include their Standards in our proposed Policy and Conditions going to Council, a decision was taken to continue with the consideration of our document - Taxi Licensing Policy and Licence Conditions 2020- so as to avoid any undue delay in their implementation. This was particularly important as the proposed Policy and Conditions contained several changes to the benefit of both taxi drivers and their customers including changes surrounding extending the life of vehicles.

The Department for Transport (DFT) document on the Statutory Taxi & Private Hire Vehicles Standards had been produced as there was evidence to support the view that taxis and private hire vehicles were a high-risk environment. In terms of risks to passengers, this could be seen in abuse and exploitation of children and vulnerable adults and although the focus of these Standards was on protecting children and adults, all passengers would benefit from the recommendations within it. Those Standards were therefore focused on safeguarding and included extensive advice on checking the suitability of individuals and operators to be licensed.

The intention of their introduction was to establish a consistent standard and regulate better the taxi and private hire vehicle sector across the Country, and were the result of detailed discussion with the trade, regulators and safety campaign groups.

The Statutory Taxi and Private Hire Vehicle Standards reflected the significant changes in the industry and lessons learned from experiences in local areas since the 2010 version of the DFT's Best Practice Guidance.

There was an expectation from Government that the Standards should be adopted by all Councils by January 2022.

The initial changes made to the Council's Policy and Conditions 2020 (shown in red) and those in blue are the changes made to the Policy and Conditions 2020 as a result of the Council's consultation which took place between 14 June – 16 July 2021.

Considerable amounts of the Standards had already been introduced within the Council's current Policy and Conditions 2020, but the following had also now been included:-

New requirements for the Disclosure Barring Service (DBS) checks – which meant mandatory sign up to the online, update service, to enable the licensing team to regularly check the status of drivers every 6 months to ensure there had been no unreported incidents that the Council would need to be aware of and ensured the protection and safety of the public. As the DBS Service cannot access criminal records held overseas, only foreign convictions held on the Police National Computer may, subject to the disclosure rules, be disclosed. Therefore, it was now a requirement of applicants for a licence to provide, where possible, criminal records information or a 'Certificate of Good Character' where there have been periods living or working overseas: the same applied when an applicant had previously spent an extended period (three or more continuous months) outside the UK. This would provide a complete picture of an individual's history.

Sign up to the NR3 Register – The Local Government Association commissioned the National Anti-Fraud Network to develop a register of taxi and private hire vehicle driver licence refusals and revocations (known as the NR3). The NR3 was a National Register which contained information relating to any refusal to grant, or revocation of, a taxi drivers' licence. The intention of this was to prevent drivers who have had a hackney carriage or PHV licence revoked or an application for one refused, going to another authority to dishonestly secure a licence by failing to disclose their previous licensing history. Instances of drivers doing this in the past had undermined public confidence in the hackney carriage and PHV trade and licensing authorities. The purpose of the NR3 initiative was therefore to provide a mechanism for licensing authorities to share details of individuals who have had a hackney carriage or PHV licence revoked or an application for one refused. The development of NR3 had been welcomed by all sections of the taxi trade, safety groups and charities, the Department for Transport and by licensing authorities. (Data protection legislation provides exemption from the rights of data subjects for the processing of personal data in connection with regulatory activities. This included taxi and private hire vehicle licensing.)

A new robust complaints system for customers has been devised to ensure that a pattern of behaviour by drivers or operators can clearly be recognised which enables Licensing to establish whether they are 'Fit and Proper' to hold a licence including:

A new webpage, with appropriate links and guidance, was being devised to make it clear and easier for customers to report any incidents.

A compliment/comments/complaint sticker had been devised to be placed and displayed on the rear, side windows, of each licensed vehicle, which will be issued to all drivers for display and will be made mandatory. This contained a QR Code which directly puts a customer through to the appropriate form for reporting purposes.

Operators must also create a suitable complaints procedure through which they will record and subsequently investigate all complaints made in relation to any driver or vehicle which is operated by them. The complaints procedure must also record the outcome of any investigation.

More onus has been placed on Private Hire Vehicle Operators to ensure that licensing authorities are assured that those that are granted a Private Hire Vehicle Operator's licence also pose no threat to the public and had no links to serious criminal activity. Although Operators may not have direct contact with passengers, they were still entrusted to ensure that the vehicles and drivers used to carry passengers were appropriately licensed and so maintain the safety benefits of the driver licensing regime. In essence they now have to become more accountable and responsible which includes having a written policy on employing ex-offenders, were required to keep a register of all staff that would take bookings or dispatch vehicles and that all staff were suitable persons to undertake work which required dealing with sensitive personal information and the maintaining of customer confidentiality this also included undertaking Basic DBS checks on any individual added to their registers.

Councillor Price concluded his comments by moving that the recommendations as set out in paragraph 2 be approved.

The proposal was seconded by Councillor J M Pert.

Councillor G P K Pardesi praised the work of Officers involved in this matter and urged all Members to support the recommendations.

The matter was duly put to the vote and subsequently declared to be carried.

- RESOLVED:- that:-
- (a) the Policy and Licensing Conditions (attached as an appendix to the report) be approved;
 - (b) the implementation date for the Policy and Licensing Conditions of 15 September 2021 be agreed;
 - (c) authority be delegated to the Head of Operations (in consultation with the Head of Law and Administration and the Cabinet Member for Environment) to make minor modifications to the Policy and Licensing Conditions to reflect changes in legislation or case law or to promote efficient administration in the licensing function without any other consultation if appropriate.

C36 Covid Memorial Proposals

Considered the report of the Covid Memorial Working Group.

Councillor P M M Farrington introduced the report before inviting Councillor M Phillips to speak as the Chair of the associated cross-party working group established to consider the matter. Councillor Phillips thanked all of those involved in the process and concluded her comments by moving that the recommendation as set out in paragraph 2 be approved.

The proposal was seconded by Councillor A T A Godfrey.

The matter was duly put to the vote and subsequently declared to be unanimously carried.

RESOLVED:- that the proposals as put forward to commemorate the lives affected by the Covid-19 pandemic be agreed.

C37 LGA Model Code of Conduct

Considered the report of the Head of Law and Administration.

Councillor R M Sutherland introduced the report and concluded his comments by moving that the recommendation as set out in paragraph 2 be approved.

The proposal was seconded by Councillor M J Winnington.

The matter was duly put to the vote and subsequently declared to be unanimously carried.

RESOLVED:- that the LGA Model Code of Conduct attached as an appendix to the report be adopted.

C38 Waiver of 6 Month Councillor Attendance Rule

Considered the report of the Head of Law and Administration.

Councillor R Kenney introduced the report and concluded their comments by moving that the recommendation as set out in paragraph 2 be approved.

The proposal was seconded by Councillor A T A Godfrey.

The matter was duly put to the vote and subsequently declared to be unanimously carried.

RESOLVED:- that in respect of Councillor Mark Green, the requirements of section 85 of the Local Government Act 1972 be waived, until February 2022.

The Leader of the Council requested that Members best wishes be passed on to Councillor Green during his period of recovery.

C39 Committee Business Planning Reports

Considered the report of the Head of Law and Administration.

Councillor R P Cooke introduced the Resources Scrutiny Committee Business Planning report and thanked Members and Officers for their help and support in the work of the Committee. In conclusion, Councillor Cooke moved that the report be received. The proposal was seconded by Councillor W J Kemp.

Members then voted on the proposal as set out, which was declared to be unanimously carried.

RESOLVED:- that (a) the annual report of the Resources Scrutiny Committee be received.

Continuing, Councillor W J Kemp introduced the Economic Development and Planning Scrutiny Committee Business Planning and thanked Members and Officers for their help and support in the work of the Committee. In conclusion, Councillor Kemp moved that the report be received. The proposal was seconded by Councillor R P Cooke.

Members then voted on the proposal as set out, which was declared to be unanimously carried.

RESOLVED:- that (b) the annual report of the Economic Development and Planning Scrutiny Committee be received.

Finally, Councillor J Hood introduced the Community Wellbeing Scrutiny Committee Business Planning report and thanked Members and Officers for their help and support in the work of the Committee. In conclusion, Councillor Hood moved that the report be received. The proposal was seconded by Councillor C V Trowbridge.

Members then voted on the proposal as set out, which was declared to be unanimously carried.

RESOLVED:- that (c) the annual report of the Community Wellbeing Scrutiny Committee be received.

MAYOR