

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

COUNCIL MEETING

Minutes

WEDNESDAY, 2 DECEMBER 2020

PRESENT: Councillor K Flunder (Chair)

Councillors J Aberley, R Alcock, C J S Atkins, G Bentley, M Bowen, C Brady, B Cawley, J Davies, M A Deaville, B Emery, E Fallows, M Gledhill, T Hall, A Hart, N Hawkins, G Heath, I Herdman, T Holmes, K Hoptroff, B A Hughes, A Hulme, K J Jackson, B Johnson, J T Jones, I Lawson, L D Lea, L A Malyon, K Martin, T McNicol, L Page, I Plant, H Plimley, J Porter, D Price, S E Ralphs MBE, J Redfern, T Riley, P Roberts, P Routledge, J Salt, S Scalise, H Sheldon MBE, L Swindlehurst, E Wain, R Ward, P Wilkinson, M Worthington and N Yates

APOLOGIES: Councillors G Bond, S Coleman, D Shaw, P Taylor and P Wood

Prayers were provided by Reverend Nigel Irons.

56 **COUNCILLOR IAN WHITEHOUSE**

Having opening the meeting the Chairman asked Members of the Council to observe a minute's silence in memory of the late Councillor Ian Whitehouse.

57 **MINUTES OF THE PREVIOUS MEETINGS**

57a **FULL COUNCIL - 26 FEBRUARY 2020**

RESOLVED:

That the Minutes of the Meeting of the Council held on 26 February 2020 be approved as a correct record and signed by the Chairman.

57b **COUNCIL ASSEMBLY - 9 SEPTEMBER 2020**

RESOLVED:

That the Minutes of the Meeting of the Council Assembly held on 9 September 2020 be approved as a correct record and signed by the Chairman.

58 **DECLARATIONS OF INTEREST**

The following declaration was made:

Agenda Item	Member Declaring Interest	Nature of Interest
Agenda Item 10.2 Notice of Motion – Use of Fireworks	Cllr. K. Flunder	Director of a company that uses fireworks – will withdraw from meeting.

59 **CHAIRMAN'S OR LEADER'S ANNOUNCEMENTS AND CORRESPONDENCE, IF ANY.**

The Chairman of the Council thanked the High Sheriff of Staffordshire for his visit to Covid-19 Support Groups in the Staffordshire Moorlands on 29 October 2020. The Chairman also announced that there would be a special meeting of the Health Overview and Scrutiny Panel on 22 December 2020 that would provide an update on the Coronavirus pandemic in the District.

60 **DECISIONS MADE UNDER THE COUNCIL'S URGENCY PROVISIONS**

RESOLVED:

That the following decisions made under the Council's urgency provisions be noted.

- 18 March 2020 - Temporary Management Structure and Appointment of Returning Officer and Electoral Registration Officer.
- 18 March 2020 - Appointment of Authorised officers - Neil Rodgers (Executive Director - Place) and Claire Hazeldene (Acting Executive Director – Finance and Customer Services).
- 30 March 2020 - The affixing of the Council's Common Seal be attested by the Chief Executive or Monitoring Officer or by some other person authorised by either of them in writing to do so.
- 7 May 2020 - Dispensation granted to all councillors for non-attendance at meetings until 30 September 2020.

61 **TO CONSIDER AND DEBATE ANY RECOMMENDATIONS FROM THE CABINET, OVERVIEW AND SCRUTINY PANELS AND COMMITTEES.**

61a **RESOURCES OVERVIEW AND SCRUTINY PANEL - OVERVIEW AND SCRUTINY ANNUAL REPORT 2019-2020**

RESOLVED:

That the report be noted.

61b **STANDARDS COMMITTEE - ANNUAL REPORT**

RESOLVED:

That the report be noted.

61c **AUDIT AND ACCOUNTS COMMITTEE - ANNUAL TREASURY MANAGEMENT REPORT 2019/20**

RESOLVED:

That the Annual Treasury Management Report 2019/20 be approved.

61d **AUDIT AND ACCOUNTS COMMITTEE - TREASURY MANAGEMENT UPDATE 31 MAY 2020**

RESOLVED:

That the Treasury Management position as at 31st May 2020 be noted.

62 **AUDIT AND ACCOUNTS COMMITTEE - TREASURY MANAGEMENT UPDATE - 30 SEPTEMBER 2020**

RESOLVED:

That the Treasury Management position as at 30th September 2020 be noted.

62a **AUDIT AND ACCOUNTS COMMITTEE - 2019/20 ANNUAL REVIEW OF THE EFFECTIVENESS OF THE AUDIT & ACCOUNTS COMMITTEE**

RESOLVED:

That the Audit & Accounts Committee's terms of reference be approved.

63 **NOTICES OF MOTION IN ACCORDANCE WITH PROCEDURE RULE NO. 8.**

63a **ORGANISATION OF LOCAL GOVERNMENT - CLLR S. RALPHS MBE**

"Councillors will be aware of recent reports in the media with regards to potential changes to the organisation of Local Government including reference to the creation of a 'Greater Stoke' unitary authority.

In the Staffordshire Moorlands we have a strong track record of working in partnership with Staffordshire County Council, town/parish councils and the voluntary sector to improve the quality of life for our residents and ensuring that the voices of our communities are heard. The Coronavirus Pandemic has illustrated how we can successfully work together to support the population in the Staffordshire Moorlands by quickly addressing local needs whether by delivering food parcels to vulnerable people or by issuing grants to businesses.

I therefore propose that this Council writes to Government to make clear our view that the current two tier working between Staffordshire Moorlands District Council and Staffordshire County Council be retained and that there should not be a move to create a 'Greater Stoke' unitary authority."

During debate members deliberated a range of issues that included the importance of services being delivered locally, the importance of three-tier working and the lack of a white paper on the issue of local government re-organisation, a named vote having been called, voting was as follows:

Those voting **FOR** :

Councillors: Aberley, Bowen, Davies, Deaville, Emery, Fallows, Flunder, Hall, Hart, Hawkins, Heath, Herdman, Holmes, Hughes, Hulme, Johnson, Jones, Lawson, Lea, Malyon, Martin, McNicol, Plant, Plimley, Porter, Ralphs, Redfern, Riley, Roberts, Routledge, Scalise, Sheldon, Wain, Ward, Wilkinson and Worthington. **(36)**

ABSTENTIONS:

Councillors: Atkins, Bentley, Brady, Cawley, Gledhill, Hoptroff, Jackson, Page, Price, Salt, Swindlehurst and Yates. **(12)**

No councillor voted against.

63b **USE OF FIREWORKS - CLLR. L. MALYON**

(Councillor Flunder, having declared an interest, withdrew from the meeting for this item. Councillor Roberts took the Chair).

“Fireworks are used by people throughout the year to mark different events. While they can bring much enjoyment to some people, they can cause significant problems and fear for other people and animals. They can be a source of fear and distress for many animals (including pet animals, farm livestock and wildlife). Animals affected not only suffer psychological distress but can also cause themselves injuries – sometimes very serious ones – as they attempt to run away or hide from the noise. I therefore propose that this Council resolves:

- To require all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people
- To actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks
- To write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays
- To encourage local suppliers of fireworks to stock ‘quieter’ fireworks for public display.”

An **AMENDMENT** was **PROPOSED** that the Council should also write to the District’s Members of Parliament with regards to this notice of motion.

Having been **SECONDED**, upon being put to the vote, the **AMENDMENT** was **CARRIED** unanimously.

64 **BAN ON THE BURNING OF PEATLANDS - CLLR J. PORTER**

“Peatland occupies around 12% of the land area in the UK and is a natural carbon sponge. Our peatlands are worth around 15 years of UK carbon emissions and are a

vital carbon lock. They are the UK's rainforests and a vital part of addressing climate change.

Unfortunately, they can currently be developed on, dug up and used for horticulture, or burned. The lack of protection has resulted in many peatland fires in recent years, including the fire at The Roaches in the summer of 2018. Staffordshire Wildlife Trust, Staffordshire Fire & Rescue Service and Staffordshire Police have been working hard to address this locally.

Research has found that burning peatland degrades habitats, releases carbon emissions, reduces biodiversity and increases flood risk. The burning of peatland is believed to be the most environmentally damaging of this activity.

Peatlands are an important habitat for plants and wildlife, can store water to prevent flooding and also stores carbon if it is in a healthy state. But when peatland is degraded, drained and burned it releases carbon, worsening climate change.

As a District Council, we call upon the Government to introduce an outright ban on the practice of peatland burning and to ensure the protection of peatlands across the UK for the sake of future generations. It would demonstrate the UK's climate leadership in the run up to next year's UN climate talks being held in the UK and would show the Prime Minister's commitment to protecting 30 percent of the UK's land for nature."

An **AMENDMENT** was **PROPOSED** that the last paragraph of the motion should also include reference to a ban of the burning of vegetation.

Having been **SECONDED**, upon being put to the vote, the **AMENDMENT** was **CARRIED** unanimously.

65

TO ANSWER QUESTIONS ASKED UNDER PROCEDURE RULE NO. 10.

1. Question to the Leader of the Council received from Councillor B. Cawley:

"The independent Committee on Standards in Public Life is carrying out a review of the institutions, processes and structures in place to support high standards of conduct in public office. There is a consultation period that ends on the 18th December. How does SMDC ensure that the seven principles of public life are adhered to by its public office holders?"

Response:

"In order to ensure that the seven principles of public life are adhered to by its public office holders the Council has a range of agreed policies and processes in place.

Section 27 (1) of The Localism Act 2011 requires the Council to promote and maintain high standards of conduct for its elected and co-opted members. To ensure high standards of ethical behaviour and good governance throughout the Authority the Council has adopted a number of policies.

These various policies are drawn together within one document to clarify their place and role within the Council's Local Ethical Framework. This is published on the Council's website with its Constitution, to provide a route map for all Members, Officers and the public to identify and consider the policies and procedures which

the Council has in place. The Framework sets out the standards of behaviour that the Council expects of its members and staff in all areas of their conduct and also clarifies roles and responsibilities for the interaction between members and staff.

A number of key documents are included within the Framework including:

- Member Code of Conduct
- Code of Conduct for Council Employees
- Register of Interests
- CIPFA/SOLACE Local Public Services Senior Managers' Code of Ethics
- The Council's Code of Corporate Governance
- The Council's Constitution
- The Protocol for Member/Officer Relations
- Equalities and Diversity Policies

The Council holds regular seminars on the Code of Conduct for members which are open to all district, town/parish councillors and parish/town clerks. Delivered by the Council's Monitoring Officer these include reference to case studies and consistently receive very positive feedback.

Although, following the introduction of the Localism Act 2011, the Council is no longer required to hold meetings of its Standards Committee it continues to do so to demonstrate its commitment to upholding the seven principles of public life.

At its last meeting on 19 November 2020 the agenda included a regular update on the complaints received by the Council. These are dealt with accordance with a robust process for dealing with standards allegation complaints (including consulting with Independent Persons) and processes for the investigation of complaints and hearings as agreed by all members at Full Council.

The Council has always taken part in consultation exercises, via the Standards Committee, with regards to the standards framework and complies with best practice guidelines as recommended by the Committee on Standards in Public Life. These include regular reviews of the Code of Conduct for Members, the complaints process and updates on standards issues at all political group leader meetings.

The last agenda of the Committee also included the Standards Committee Annual Report which is included on tonight's agenda for Council. Within the report the number of complaints received by the Council is shown for the last seven years together with a similar breakdown with regards to the number of customer complaints dealt with by the Local Government Ombudsman.

At the last meeting members were also presented with a report that provided an overview of the review by the Committee on Standards in Public Life referred to in your question. I would urge all councillors to take part in the consultation exercise that can be accessed by clicking on the link below:

<https://www.gov.uk/government/news/committee-on-standards-in-public-life-announces-landscape-review-of-public-standards>"

In response to supplementary questions the Leader of the Council stated that the Authority would always give the seven standards of public life the highest priority and that it was important that allegations are dealt with quickly, smoothly and in public in accordance with the Council's guidelines and procedures.

2. Question to the Portfolio Holder for Customer Services received from Councillor C. Brady:

“According to a report by CompareTheMarket from April which looks at broadband speeds across the UK, the Staffordshire Moorlands is in the bottom 30% of local authorities with an average speed of 46.5mbps. Moving us up from the bottom 20% of local authorities since I last asked in July 2019. However, Staffordshire Moorlands are still slower than other Staffordshire Councils such as Stoke-on-Trent, Cannock Chase, Stafford, and Lichfield.

Now we are beyond 2019 and in the most important time ever for higher broadband speeds, what action is the District Council taking with the County Council in order to improve broadband speeds across the district?”

Response:

“The District Council is working closely with Staffordshire County Council to further improve broadband speeds in the Staffordshire Moorlands.

The Superfast Staffordshire £32m programme of activity started in 2013 and is due to conclude in 2021. The objective of this programme evolved over the time period seeking to increase superfast broadband (>24Mbps) access to 95%. This objective has been achieved at a national level and at Staffordshire County level.

	2013	2020
Staffordshire	65.3%	96.62%
Staffordshire Moorlands	55.1%	92.09%

Along with South Staffordshire, the Staffordshire Moorlands has not reached the 95% objective although a considerable improvement has been achieved through the programme. It is estimated that approximately 4,000 premises across the district will require a further intervention to gain access to superfast speeds.

The agenda has changed in the last 12 months and the government are now looking at the provision of “gigabit capable” technologies delivering speeds in excess of 1,000Mbps usually delivered through a full fibre connection. The Department for Digital, Culture, Media and Sport are in the process of developing the £5bn Rural Gigabit Connectivity programme which will be designed to address the “Final 5%” including the premises in areas such as the Staffordshire Moorlands. The recent spending review highlighted that the first £1.25bn will be made available up to 2025, with the balance to follow in the second half of the decade.

In the meantime the Universal Service Obligation (USO) gives residents in the UK the right to request a decent (≥ 10 Mbps) and affordable broadband connection. Under the USO, eligible homes and businesses can request a connection, where the cost of building it is no more than £3,400. Consumers are now able to make requests for connections from the designated Universal Service Provider (BT). Further details can be found at <https://www.bt.com/broadband/USO> or by ringing 0800 783 0223.

Should the communities wish to take matters into their own hands, the government have recently launched a Rural Gigabit Connectivity programme (£200m) which may help address the funding shortfall in the “final 5%” areas. Broadband for Rural Communities is a voucher scheme that allows up to £3,500 for Small and Medium-sized Enterprise (SME) business and £1,500 per residential premise. These vouchers may be aggregated to fund a Community Fibre Partnership style initiative. Further details can be found at <https://gigabitvoucher.culture.gov.uk/staffordshire/>; Staffordshire County Council is pleased to announce it is adding £1m of funding to top up the funding available from the Gigabit Broadband Voucher Scheme, which grants an extra £2,000 per premises with broadband speeds of less than 30mbps, taking the maximum support to £3,500 per resident and £5,500 per business. Currently the programme team are working with approximately 50 communities of which several are in the Staffordshire Moorlands District.

The Community Fibre Partnership option – this can now be part funded using the gigabit scheme mentioned above. A Community Fibre Partnership is where the community register their interest, define the premises that require a full fibre solution which leads to a quotation for the cost of the full fibre upgrade. Invariably there will be a requirement for additional funding which the community will need to address through voucher schemes, community contribution or often a mixture of both. Further details can be found: <http://bit.ly/2y6X7W2>

The programme team are working with local suppliers such as Internet Connections Limited to develop technologies and access government voucher schemes to develop technological approaches that will assist in delivering gigabit capable services in challenging areas such as the Moorlands.

It is unfortunate that there is insufficient funding available to ensure that 100% of the premises in Staffordshire can gain access to superfast services at this point. Please be assured that the Superfast Staffordshire programme team will continue to work closely with Openreach, Building Digital UK and other commercial operators to facilitate the delivery of access to gigabit capable broadband services across the County as quickly as resources will allow.

The District Council will continue to work with the County Council to promote online skills, support communities and promote access to the various schemes in the weeks and months ahead.

In response to supplementary questions the Portfolio Holder stated that the Council would consider the availability of free wifi in the three towns as part of its forthcoming IT Strategy and that the Council would work with the County Council to address issues of consistency in the provision of broadband and would be happy to forward cases to the County Council for investigation.

The meeting closed at 9.05 pm

_____ Chairman _____ Date