

CANNOCK CHASE COUNCIL

COUNCIL MEETING

WEDNESDAY, 24 JANUARY, 2007 AT 4.00 P.M.

COUNCIL CHAMBER, CIVIC CENTRE, BEECROFT ROAD, CANNOCK

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

1. Apologies

2. Declarations of Interests of Members in Contracts and Other Matters

To declare any personal or prejudicial interests in accordance with the Code of Conduct and any possible contraventions under Section 106 of the Local Government Finance Act 1992.

Under the Code of Conduct, if you declare a personal interest, you may remain in the meeting, take part in the debate and vote. If you declare a personal and prejudicial interest, you must withdraw from the meeting and not take any part in the debate.

3. Minutes

To confirm the Minutes of the meeting of the Council held on 22 November, 2006, Minute Nos. 42-50 and 51-52, Page Nos. 39-45 and 46 and 13 December, 2006, Minute Nos. 53-64, and 65-66, Page Nos. 47-55 and 56-59.

4. The Chairman's Announcements and Correspondence

5. Questions in Accordance with Rule 8

The following question has been submitted by Councillor M.J. Holder in accordance with Rule 8:-

"Mr. Chairman, at the Council Meeting held 22 November 2006 a debate took place on my motion relating to the collection of domestic refuse over the Christmas period 2006-2007. During the debate one of my colleagues asked a question about the "legality" of the Cabinet's decision to not repeat the temporary arrangements entered into for the previous Christmas period, i.e. 2005-2006. The answer given by the Council's Monitoring Officer was (paraphrased).

That as the Christmas domestic refuse collection regime for 2006-2007 was a continuation of current Council policy no decision was required. The Cabinet was not required to make a decision and did not make a decision; therefore as no decision was made there could be no question of an illegal decision.

This of course led to the corollary; that the temporary arrangements previously entered into for 2005-2006 were therefore a departure from Council policy and in order to depart from Council policy decisions needed to be made and the approval of Council would be a requirement under that procedure. I asked for an assurance that the appropriate authorities were in place to amend Council policy. You may well recall, Mr. Chairman, the enthusiasm with which the Leader of the Council gave such assurance.

I believe Members forgave my scepticism when I asked, formally, the Monitoring Officer to provide me with a copy of the authorities required. This she agreed so to do.

Unfortunately I have to report that no such information has been supplied; I have trawled the Council and Cabinet minutes and can find no reference to any decision relating to this matter.

Can you therefore, Mr. Chairman, assure this Council that there are the appropriate authorities in place that allowed for Council policy to be altered in relation to the collection of domestic refuse over the Christmas period of 2005-2006, and detail those authorities? Or; in the absence of any authority can you inform the Council on the consequences of such action, who took the decision to amend Council policy, was that decision legal and was the Leader of the Council's enthusiasm once more misplaced?"

The Environment Leader will provide an oral response.

6. Part 1 Minutes of Cabinet, Committees, Select Committees and Panels

To (a) consider reports and determine recommendations and matters referred to the Council for specific determination and (b) receive for information details of resolutions in respect of powers and duties delegated by the Council in Part 1 Minutes of the following Cabinet, Committees, Select Committees and Panels:-

(a) Grant Applications and Rate Relief Committee

- (i) 15 August, 2006
Minutes 1-4
Page Nos. 1-4

(b) Planning Control Committee

- (i) 15 November, 2006
Minutes 151-163
Page Nos. 78-83
- (ii) 6 December, 2006
Minutes 164-179
Page Nos. 84-90
- (iii) 20 December, 2006
Minutes 180-190
Page Nos. 91-97

(c) Health Select Committee

- (i) 31 October, 2006
Minutes 20-29
Page Nos. 16-20

(d) Social Inclusion and Housing Select Committee

- (i) 9 November, 2006
Minutes 21-23
Page Nos. 17-18

(e) Environment Select Committee

- (i) 14 November, 2006
Minutes 14-18
Page Nos. 14-17

7. Recommendations Referred from Members of the Standards Committee held on 22 January, 2007

On 22 January, 2007, Members of the Standards Committee will consider recommending to Council the appointment of an independent Member to the Standards Committee.

Council is requested to give consideration to the recommendation of Members of the Standards Committee.

(The recommendation of Members of the Standards Committee will be circulated to Members prior to the meeting).

8. Recommendations Referred from Cabinet held on 18 January, 2007

Council is requested to consider recommendations that are to be referred from Cabinet on 18 January, 2007.

The recommendations referred from Cabinet will be circulated prior to the meeting.

(Members are requested to refer to the Cabinet agenda for the meeting held on 18 January, 2007, previously circulated).

9. Housing Revenue Account Capital Programme 2006-07

Report of the Deputy Chief Executive (Enclosure 9.1-9.16).

10. Best Value Performance Plan 2006 – Audit Opinion

Report of the Chief Executive (Enclosure 10.1-10.4).

11. Appointment of an Elected Member for Children's Services

Report of the Chief Executive (Enclosure 11.1-11.6).

S.G. Brown
Chief Executive

Civic Centre,
Beecroft Road,
Cannock.
WS11 1BG