



**MINUTES OF A MEETING OF THE
COUNCIL
HELD ON 25th JANUARY 2012**

PRESENT: Councillor J Oates (Chair), Councillors T Clements, B Beale, D Cook, R Cook, C Cooke, S Doyle, J Faulkner, K Gant, M Gant, J Garner, M Greatorex, A James, A Lunn, R McDermid, K Norchi, M Oates, N Oates, S Peale, G Pinner, R Pritchard, E Rowe and M Thurgood

The following officers were present: Lara Allman (Democratic & Election Services Officer), Jane Hackett (Solicitor to the Council and Monitoring Officer) and John Wheatley (Deputy Chief Executive and Corporate Director (Resources))

50 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors L Bates, S Claymore, D Foster, A Lees, and P Seekings and A Goodwin (Chief Executive).

51 TO RECEIVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 13th December 2011 were approved and signed as a correct record.

(Moved by Councillor R Pritchard and Councillor M Gant)

52 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

53 TO RECEIVE ANY ANNOUNCEMENTS FROM THE MAYOR, LEADER, MEMBERS OF THE CABINET OR THE CHIEF EXECUTIVE

None

54 QUESTION TIME:

QUESTIONS FROM MEMBERS OF THE COUNCIL

NO.1

"The date of 20th of February has finally been given as the date for the scrutiny of the fluoridation of water in the Tamworth Borough. It will be an all day scrutiny. Will Cllr Gant explain to the Council why he is making things so difficult for the Petition Organiser by trying to enforce absurd conditions and generally making unhelpful decisions? These conditions have included a diktat that out of the many thousands of worldwide studies the only reference the Scrutiny Committee would allow itself to use would be the Year 2000 York Review. Also Cllr Gant has apparently decided to refuse to allow myself, as a Tamworth Borough councillor, the opportunity to address this scrutiny. He instead suggests the Petition Organiser presents me as one of her two allowed "experts" when I clearly am not, and do not wish to pretend to be, an expert. Also, so far there is the continuing failure to answer the Petition Organiser's reasonable requests for information about allotted times to speak and what visual and technical aids will be available or even allowed. All these things, together with my own previous experience of trying to present this issue previously to this committee, are suggesting to both myself and the Petition Organiser a noticeable lack of fairness and courtesy. I find this behaviour embarrassing when liaising with the Petition Organiser which is why I am asking for this explanation now."

The Chair of Community & Wellbeing Scrutiny Committee gave the following reply:

There has been an inordinate amount of time spent dealing with emails from you on this matter and to raise the same queries at full council is most inappropriate. It appears to me you are trying to get by whatever means a different answer to your queries however I'm afraid I require to be consistent.

On 14 December 2011 the Community and Wellbeing scrutiny committee decided the date of 20 February for the inquiry day and it was intimated to parties including the petition organiser on 16 December 2011. It had been earlier intimated on 21 November 2011 that it was likely that the matter would be on the agenda of the Community and Wellbeing Committee meeting of 18 January 2012 but the members of the committee recognised that this would not afford sufficient consideration of the matter and accordingly it was decided to hold a full inquiry day. But it seems even that, for you, is not enough.

I have not made any individual decisions; it was the committee of which I am Chair that decided :-

1. The number of speakers.
2. The order of business, taking into account the amount of time available and this requires to be equal for each party.
3. The report to be used by all parties as a reference point is to be the York Report.

Yes it was produced in 2000 but it is still considered an authoritative report on fluoridation and relevant in the current situation. It is an objective and systematic review that has obtained government approval. The Committee took the view that as the time to deal with this issue is limited to one day and as there is so much information, reports etc on this topic that it would assist all parties taking part and the Committee to restrict the speakers reference to the

York report, it was also considered that this approach was fair and reasonable to all involved. Members have also been given a link to the York report and have the opportunity to familiarise themselves with its contents prior to the inquiry day which in turn will mean that they are better informed.

As the number of speakers for the inquiry day were decided by the Committee of which I have already indicated that I am Chair I cannot unilaterally change that decision. It is inappropriate for you to be given more rights to address the Committee than any other member of the Council. To do so would be most unfair to other members who equally have their constituents' interests in mind. Prior to full Council you revoked your right to speak on the issue and had you been a member of the Community and Wellbeing Scrutiny Committee you would in all probability have had to disclose a personal and prejudicial interest in this matter.

It was not put to you that the petition organiser present you as "one of her experts". It was suggested to you that if you wanted to speak at the inquiry day you contact the petition organiser and ask her for the opportunity to do so. At no time was it suggested that you be presented as an expert. To do so would be completely absurd. It has also been suggested to you that one of the speakers of the petition organiser be informed of what you wish to say and put this across at the inquiry day a position that is being adopted by one of the speakers for the partners

Information regarding the allotted times, visual and technical aids have been passed to the petition organiser. It is not for me to comment on whether she has shared this information with you. There is certainly no lack of fairness nor courtesy to any party as far as I can see in the way the matter is being dealt with. In fact you have put numerous questions to staff and myself on this matter and have received courteous replies which as far as I am concerned have gone beyond what is required both of me and of the officers. In this current economic climate the Council has afforded the petition a full day hearing which has costs for the authority both in resource and officer time but to do otherwise would not have been the proper manner in which to deal with the petition. The Council and the Community and Wellbeing Scrutiny Committee are taking the petition seriously and affording it the hearing it deserves. It is an open transparent and fair way to the community and for the Council to deal with the petition.

Supplementary Question

"Does the Chairman now recognise that the issues the York Review deliberately excluded; the environmental, the ethical, the ecological, the legal, local, funding considerations, all and any studies on animals, and of course the last 12 years of fluoride research since the York Review - does he agree that these things are fair and proper issues for our Tamworth Scrutiny committee to consider?"

The Chair of Community & Wellbeing Scrutiny Committee gave the following reply:

No. We will find out on 20 February.

55 JOINT STAFFORDSHIRE POLICE AUTHORITY AND FORCE BRIEFING WITH TAMWORTH BOROUGH COUNCIL

A Presentation was given by The Joint Staffordshire Police Authority and Force on the Budget for 2012/13.

The Mayor

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