

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
CABINET
HELD ON THURSDAY, 21 JULY, 2011 AT 5.45 P.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK
PART 1

PRESENT: Councillors

Adamson, G.	Leader of the Council
Toth, J.	Deputy Leader of the Council and Environment Portfolio Leader
Dixon, D.I.	Corporate Improvement Portfolio Leader
Mitchell, Mrs. C.	Culture and Sport Portfolio Leader
Alcott, G.	Economic Development and Planning Portfolio Leader
Davis, Mrs. M.A.	Health and Wellbeing Portfolio Leader
Allen, F.W.C.	Housing Portfolio Leader
Todd, Mrs. D.M.	Town Centre Regeneration Portfolio Leader

21. Apologies

There were no apologies for absence.

22. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members

No declarations of interest in addition to those already confirmed by Members in the Register of Members' Interests were made.

23. Updates from Portfolio Leaders

Town Centre Regeneration

The Portfolio Leader advised that the new public toilet facilities were now open in Hednesford. She also advised that there had been two recent press releases in respect of the Hednesford Gateway Scheme, and construction of the new bingo hall was underway and it was hoped this would be ready in the autumn.

Economic Development and Planning

The Portfolio Leader reported on the good news that online retailer Amazon had decided to site a distribution centre at the 700,000 sq ft Flair building at G Park in Rugeley, creating up to 900 jobs. The Portfolio Leader particularly wished to record his thanks to the Officers involved in securing the deal. The centre will start processing orders from September and will deal with customers from the UK and across the world.

The Portfolio Leader also advised Cabinet of the Council's response to consultation from the Department for Communities and Local Government (DCLG) in respect of (i) relaxation of planning controls for change of use from commercial to residential; and (ii) the draft Planning Policy Statement Relating to Gypsies, Travellers and Travelling Showpeople, as referred to in the minutes of the Economic Development and Planning PDC of 28 June, 2011, considered elsewhere on the agenda.

Relaxation of planning controls over change of use from commercial to residential

- The Council supports the principle of allowing flexibility via deregulation in order to deliver new dwellings by conversion of vacant commercial premises, but, rather than a "one size fits all" approach of national regulations would favour a locally based solution. Use of Local Development Orders would be the most appropriate method to take account of local circumstances enabling judgements to be made on where the need for housing should take priority and conversely where it would be more appropriate to retain buildings, particularly those suitable for office use, in order to support the local economy.

Draft planning policy statement relating to Gypsies, Travellers and Travelling Showpeople

- The Council supports the principle of being able to produce its own evidence about the need for sites.
- However, the sole criterion for the amount of provision should not be based solely on historic demand, but local policy should be able to take account of constraints on land availability such as Green Belt and cross boundary working.
- Rural locations can often be the most appropriate locations so Green Belt releases of land specifically for Gypsies & Travellers may be the most appropriate solution in Districts where all rural land is in the Green Belt.
- Six months was not sufficient time to enable 5 year supply targets to be established, a minimum of a year will be needed.
- Consultation with both the gypsy and settled communities on the development of local policy on this issue will not necessarily result in reduced tension between the communities.

Housing

The Portfolio Leader reported that the Council had reopened an area office at Hednesford Library. The facility was being manned by staff from the Revenues and Benefits section, and Officers from other departments would attend by appointment.

Culture and Sport

The Portfolio Leader reported that she had been touring leisure facilities in the District, including the Chase Leisure Centre. Work was well under way, but some problems had been discovered. However, it was anticipated that these would be dealt with within existing budgets, and although this might delay the project slightly, it was anticipated that re-opening would still be prior to the start of the Olympics in 2012.

Interest remained strong in the Leisure Outsourcing contract, and potential bidders had, between them, undertaken a substantial number of site visits.

Health and Wellbeing

The Portfolio Leader reported that the Council had produced a free "Doorstep Dance" DVD, as a means of encouraging people to learn basic dance steps at home before joining a class, thus overcoming confidence issues and making them more likely to participate and gain the associated health benefits.

24. Minutes

RESOLVED:

That the Minutes of the meeting held on 23 June, 2011 be approved as a correct record and signed.

25. Forward Plan

Consideration was given to the Forward Plan of Decisions for the period July - September, 2011 (Enclosure 5.1 – 5.3 of the Official Minutes of the Council).

RESOLVED:

That the Forward Plan of Decisions for the period June - August, 2011, be noted.

26. Part 1 Minutes of Policy Development Committees

RESOLVED:

That the Part 1 Minutes of the following Policy Development Committees be received for information:

- (i) Economic Development and Planning – 28 June, 2011

27. Housing Revenue Account Business Plan

Consideration was given to the Joint Report of the Corporate Director and the Head of Financial Management (Enclosure 7.1 – 7.11 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The implications of the initial Housing Revenue Account Business Plan (attached as Annex 1 to the report) in not providing sufficient resources to maintain the Council's housing stock in accordance with the decent homes standard and other statutory obligations be noted.
- (B) The revised initial Housing Revenue Account Business Plan (attached as Annex 3 to the report) be agreed for the purpose of consultation, and that the following key assumptions be noted:-
 - (i) Capital receipts generated from Right to Buy and the sale of certain vacant one bedroom bungalows be utilised as a Housing Revenue Account capital

resource.

- (ii) Repayment of new borrowing to meet the estimated £59 million settlement payment be met through a Minimum Revenue Provision over a 35 year period commencing in 2017-18.
- (C) The views of the Housing Policy Development Committee be requested on the revised initial business plan.
 - (D) The revised initial Business Plan be subject to a consultation exercise with tenants and other stakeholders.
 - (E) Subject to Cabinet reaffirming the current regeneration strategy an application be made to the Department for Communities and Local Government to exclude the 167 Reema flats on the Moss Estate, Chadsmoor from the Council's self-financing settlement as a result of their planned demolition.
 - (F) Further reports be received on:-
 - (i) Service standards and specifications for the future delivery of the housing service.
 - (ii) A draft HRA Business Plan (following the Government's announcement of the Council's draft settlement payment) which includes the evaluation of Cabinet identified areas of potential change, the views of the Housing Policy Development Committee and the results of the consultation exercise.

Reason(s) for the Decision

Subject to Parliamentary approval of the Localism Bill, self-financing will replace the current HRA subsidy system from 1 April 2012. Whilst the Council will retain all of its future rent income, it will be required "in return" to make a settlement payment to the Government.

The cost of making the settlement payment (assumed to be in the region of £59 million at this stage) would need to be met by additional borrowing and the cost of this, together with the cost of managing and maintaining the Council's housing stock and existing borrowing would need to be met entirely from HRA resources.

In order that the risks associated with this change can be managed it was necessary for the Council to develop a long-term (30 year) business plan to manage and maintain the Council's housing stock within the context of estimated available resources.

The report considered the formulation of a viable initial Business Plan in accordance with the Council's indicative settlement payment. An initial Business Plan (attached as Annex 1 to the report) based on the repayment of the principal in respect of the settlement payment loan over a 40 year period did not provide sufficient resources to maintain the Council's housing stock in accordance with the decent homes standard and other statutory obligations and was not, therefore, considered viable.

A revised initial Business Plan (attached as Annex 3 to the report) had, therefore, been formulated on the basis that RTB and vacant bungalow receipts were retained as an HRA Capital resource and the settlement payment loan was met through a Minimum Revenue Provision over a 35 year period commencing in 2017-18. This plan would enable the Council to

maintain its stock in accordance with the decent homes standard and other statutory obligations and provide some capacity to “bring forward” planned maintenance expenditure and enhance the current housing service.

It was, therefore, suggested that the revised initial plan be agreed for consultation and further development. Following consultation on the revised initial plan and consideration of a further report on future housing service standards and specifications, a draft HRA Business Plan would be presented to Cabinet following the Government’s announcement of the Council’s draft settlement payment.

28. Housing Revenue Account Provisional Outturn, 2010-11

Consideration was given to the Joint Report of the Corporate Director and the Head of Financial Management (Enclosure 8.1 – 8.7 of the Official Minutes of the Council).

RESOLVED:

That the provisional outturn for the 2010-11 Housing revenue Account Budget be noted.

Reason(s) for the Decision

The report presented the provisional outturn position in respect of the 2010-11 HRA as part of the performance review element of the Council’s agreed financial cycle.

29. Homelessness Grant, 2011-12

Consideration was given to the Report of the Corporate Director (Enclosure 9.1 – 9.7 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) Following the receipt of additional Homelessness Prevention Grant, a supplementary estimate of £42,000 for Homelessness Prevention Initiatives be recommended to Council.
- (B) Subject to the recommendation being approved, the £42,000 funding be provided to the following:
 - (i) Citizens Advice Bureau – Extension of the Money Advice Service - £15,000
 - (ii) Top up of CLG Mortgage and Landlord Repossession Prevention Grant Fund - £5,000
 - (iii) Development of Landlord Incentive Scheme – Reserve of £7,000, subject to receipt and approval of, a further report.
 - (iv) Credit Union - £5,000
 - (v) Safe As Houses - £10,000

Reason(s) for the Decision

The Coalition Government expect that the full homelessness allocation awarded to local authorities will be spent on homelessness prevention initiatives. Should the allocation be used for other purposes, it may reduce the amount of resources allocated in future years.

30. Housing Revenue Account Capital Programmes, 2010-11 and 2011-12

Consideration was given to the Report of the Corporate Director and Head of Financial Management (Enclosure 10.1 – 10.10 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The position with regard to actual expenditure in respect of the 2010-11 HRA Capital Programme be noted, and approval be given to incur £9,682 of additional scheme costs met through the virement of existing resources in respect of the following schemes:-
- | | | | |
|-------|--------------------------------------|---|--------|
| (i) | PRC Redevelopment (Bevan Lee) | - | £1,290 |
| (ii) | Void Properties (Decent Homes Works) | - | £7,833 |
| (iii) | Asbestos Testing and Removal | - | £559 |
- (B) The reprogramming / slippage of £212,090 of expenditure from the 2010-11 HRA Capital Programme to the 2011-12 HRA Capital Programme, as agreed by the Corporate Director, for the reasons detailed in Annex 4 of the report be noted.
- (C) The availability and use of resources in financing the 2010-11 HRA Capital Programme be noted and £926,410 of resources carried forward to 2011-12.
- (D) The current position with regard to estimated expenditure in respect of the 2011-12 HRA Capital Programme be noted and approval given to:-
- | | |
|------|--|
| (i) | Establish a £150,000 budget for the Testing and Removal of Asbestos, met through the virement of existing resources. |
| (ii) | Increase the Disabled Facilities Works budget by £25,000 following the receipt of additional resources from South Staffordshire PCT. |
- (E) The current position regarding the estimated availability of capital resources in 2011-12 be noted and that the £235,322 of uncommitted resources be held as a contingency reserve.

Reason(s) for the Decision

In accordance with the Council's agreed Capital Expenditure Control Procedures and Financial Regulations, the report presented the outturn position in respect of the 2010-11 HRA Capital Programme and in the light of this, reviewed the 2011-12 HRA Capital Programme. Reasons

for variances were detailed in section 4 of the report and the accompanying Annexes.

31. Purchase of Housing Service Vehicles

Consideration was given to the Report of the Corporate Director (Enclosure 11.1 – 11.5 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) A budget of £172,000 for the replacement of housing service vehicles be established as part of the 2011-12 Housing Revenue Account Capital Programme funded from the virement of existing resources through a Revenue contribution to capital.
- (B) Scheme approval and permission to spend in relation to the purchase of the vehicles be agreed

Reason(s) for the Decision

There is a need to replace seven vehicles used in the delivery of the housing maintenance service.

It was proposed to replace these during 2011-12 and this report seeks to establish a budget within the 2011-12 HRA Capital Programme and obtain scheme approval and permission to spend.

32. Loans to Prevent Repossessions and Evictions

Consideration was given to the Report of the Corporate Director (Enclosure 12.1 – 12.6 of the Official Minutes of the Council).

RESOLVED:

That the proposed eligibility criteria for the provision of loans from the Council's Preventing Repossession Fund to households who are at risk of homelessness as a result of repossession action, as attached as Annex 1, be agreed.

Reason(s) for the Decision

The report presented proposed eligibility criteria for the provision of loans from the Council's "Preventing Repossession Fund" to households who are at risk of homelessness as a result of repossession action. The proposed criteria were attached as Annex 1 to the report and it was agreed that they be adopted for the future use of the fund.

33. Moss Estate Regeneration Strategy

Consideration was given to the Report of the Corporate Director (Enclosure 13.1 – 13.8 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The Council's regeneration strategy for the Moss Estate, Chadsmoor be reaffirmed whereby:
 - (i) The Council owned Reema houses are subject to structural reinstatement works and retained in the Council's housing stock.
 - (ii) The Reema flats (including those in private ownership) are demolished and replaced with a mixed tenure scheme undertaken in partnership with a Registered Social Landlord and private developer.
- (B) The structural reinstatement works to the Council owned Reema houses be funded through future Housing Revenue Account Capital Programmes.
- (C) The provisional allocation of resources within the initial Housing Revenue Account Business Plan to support the regeneration strategy be noted.
- (D) Further reports are received on:
 - (i) The establishment of a design budget for the structural reinstatement works.
 - (ii) A proposed structural reinstatement scheme following completion of the design works.
 - (iii) Rehousing and compensation (Home loss and Disturbance) policies for the occupants of the Reema flats.
 - (iv) A draft development brief for the redevelopment of the Reema flats, which includes an evaluation of the options regarding dwelling and tenure mix, including the possibility of providing the rented element of the replacement housing at social rather than affordable rents.
 - (iv) Proposed works to the communal areas of the "traditional" flat blocks.
- (E) Pending consideration of a proposed rehousing policy, no further Reema flats be relet.

Reason(s) for the Decision

The reasons for the decision were as stated within the report.

34. Photovoltaic (Solar) Panels

Consideration was given to the Report of the Corporate Director (Enclosure 14.1 – 14.7 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) A pilot scheme to provide photovoltaic panels to 25 Council dwellings to be undertaken by British Gas in accordance with their "rent a roof" scheme be approved.

- (B) The Head of Housing be authorised to agree terms and conditions in respect of an Agreement with British Gas to secure the scheme.
- (C) The Head of Housing following consultation with the Housing Portfolio Leader be authorised to determine the properties included in the pilot scheme.
- (D) A further report be submitted to Cabinet regarding the evaluation of the pilot scheme and the potential provision of photovoltaic panels to other suitable dwellings in the Council's housing stock.

Reason(s) for the Decision

The report outlined a proposed pilot scheme to provide PV panels to 25 Council properties through the British Gas "rent a roof" scheme. The cost of installation and future maintenance would be met by British Gas whilst the Council would receive an annual rent for each installation for a period of 25 years. In addition, the tenant of the property would receive some free electricity.

The proposed scheme would, therefore, support carbon reduction objectives and help reduce fuel poverty.

The location of the pilot scheme would be determined by the Head of Housing, following consultation with the Housing Portfolio Leader, subject to the estate meeting the British Gas installation criteria.

Subject to a successful evaluation of the pilot scheme, consideration would be given to providing PV panels to other suitable Council properties. Any extension would, however, be subject to a tendering exercise and be considered as part of a future Cabinet report.

35. Housing Strategy, 2011-16

Consideration was given to the Corporate Director (Enclosure 15.1 – 15.6 of the Official Minutes of the Council).

RESOLVED:

That Council be recommended to approve the proposed Housing Strategy 2011-2016 attached at Annex 1 and agree to the actions contained within the Action Plan.

Reason(s) for the Decision

It is beneficial for the Council to have an up-to-date Housing Strategy in place to tackle the wide range of housing related issues which affect the Cannock Chase community. The revised Housing Strategy 2011-2016 was written at a time of economic uncertainty and change but the evolving document would ensure the District is in a better position to face the complex housing challenges ahead.

36. Homelessness Strategy, 2011-2016

Consideration was given to the Report of the Corporate Director (Enclosure 16.1 – 16.6 of the Official Minutes of the Council).

RESOLVED:

That Council be recommended to approve the proposed Homelessness Strategy 2011-2016 attached as Annex 1 to the report.

Reason(s) for the Decision

A revised Homelessness Strategy was required in order that the Council meets its statutory duties under the Homelessness Act 2002. The current strategy was out of date and it was proposed that it be replaced by the proposed Homelessness Strategy 2011-2016. The proposed strategy would also ensure that the Council provided a clear strategic response to the homelessness issues facing the District.

37. Car Parking Charges During Christmas Period, 2011

Consideration was given to the Report of the Corporate Director (Enclosure 17.1 – 17.6 of the Official Minutes of the Council).

RESOLVED:

That car parking charges in Cannock and Rugeley be suspended on the two Saturdays (17 and 24 December), prior to Christmas, 2011.

Reason(s) for the Decision

It was hoped that suspending car parking charges for the 2 Saturdays prior to Christmas would encourage shoppers into their local town centres, thereby increasing footfall figures within the shopping areas.

38. Chase Line Rail Service – Proposed Change to Service Level Commitment

Consideration was given to the Report of the Corporate Director (Enclosure 18.1 – 18.8 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) London Midland be informed that Cannock Chase District Council having considered the proposed changes to the franchise Service Level Commitment:-
 - (i) Objects to the proposed withdrawal of the 06.21 Rugeley - Birmingham and 07.39 Hednesford - Birmingham services.
 - (ii) Supports the provision of new services from Rugeley to Birmingham 05.55 and 08.06.
- (B) London Midland be asked to restore capacity on the 16.39 Birmingham-Rugeley service from a 2 to 3 coach unit to ease overcrowding.
- (C) The Council's response to London Midland in Annex 2 be approved and copies

forwarded to Centro, Staffordshire County Council, the Department for Transport, Aidan Burley, M.P., Cannock Chase Rail Promotion Group, Walsall Council, Passenger Focus and other stakeholders as considered appropriate.

Reason(s) for the Decision

The Council in partnership with Centro and Staffordshire County Council had been actively working to secure the retention of the weekday evening and the Saturday incremented service between Birmingham and Rugeley in the current franchise to 2015 and their inclusion on a long term, secure basis in a future franchise beyond 2015.

Having examined the proposed changes to the Service Level Commitment, it was considered that very few benefits would be delivered to the Chase Line serving the District and major disbenefits through the withdrawal of two peak time services including the 06.21 Rugeley- and 07.39 Hednesford to Birmingham services. A less frequent service would be offered at peak times from Hednesford and Cannock and overcrowding would in fact increase rather than decrease on that section of the Chase Line. The proposed changes were considered to be against the Council's priorities to support expansion of Chase Line services.

39. Cannock Chase Local Development Framework Core Strategy – Proposed Submission

The Economic Development and Planning Portfolio Leader moved an amendment, which was seconded, that the report be deferred for consideration at the next meeting of Cabinet, with the exception of the following recommendations:

- (2.4) That Cabinet confirm their intention to recommend to Council that the route of the Winchester Road Extension is protected as part of the Core Strategy.
- (2.5) That the Corporate Director is authorised to work with Staffordshire County Council to assess and present the social, environmental and strategic case for the Winchester Road Extension and Council are recommended to make a Supplementary Estimate of £10,000 for this work.

RESOLVED:

That:

- (A) Council be recommended to protect the route of the Winchester Road Extension as part of the Core Strategy.
- (B) The Corporate Director be authorised to work with Staffordshire County Council to assess and present the social, environmental and strategic case for the Winchester Road extension and Council be recommended to make a Supplementary Estimate of £10,000 for this work.

Reason(s) for the Decision

The draft Core Strategy excludes reference to the Winchester Road Extension. Members of the Council, including Cabinet Members have expressed a wish to see the Winchester Road Extension retained as part of the strategic road network serving the District and its potential to deliver social and environmental benefits to parts of the Cannock and Hednesford urban areas.

Staffordshire County Council has advised it will work with Cannock Chase Council to assess the environmental/social benefit case for building the Winchester Road Extension. This would be on the basis that it won't be in the Infrastructure Development Plan but would have the route safeguarding from the current Local Plan taken forward within the Core Strategy, so that the option of construction some time in the future is not foregone. The additional work is intended to be completed prior to Publication of the Core Strategy.

The Council is required to contribute £10,000 towards a total cost of £20,000 for a Traffic Survey at Winchester Road, Pye Green, with Staffordshire County Council contributing the other £10,000.

40. Draft Policy on Street Trading

Consideration was given to the Report of the Corporate Director (Enclosure 20.1 – 20.6 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The draft Policy on Street Trading be endorsed, including the amendment proposed by the Licensing and Public Protection Committee at its meeting on 28 June 2011.
- (B) The proposal to consent all streets for the purpose of street trading be supported.

Reason(s) for Decision

The current system of controlling street trading is insufficient as it can only be applied to the limited number of streets that are consented. Furthermore, the conditions that can be applied to consents to trade are not robust, particularly in relation to size and visual amenity. The introduction of a policy is seen as a way to apply regulatory control in a proportionate way with consistency of approach. It would give clarity to the process for applicants, the public and enforcement officers.

Members of the Licensing and Public Protection Committee also asked that consideration of a safety related time restriction on vehicles leaving the town centres be applied within the Policy.

41. General Fund Provisional Outturn, 2010-11

Consideration was given to the Report of the Head of Financial Management (Enclosure 22.1 – 22.7 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The provisional outturn for the General Fund for 2010-11 be noted.
- (B) The financial implications of the outturn be considered as part of 2011-12 to 2014-15 Financial Projection report to Cabinet in the autumn.

Reason(s) for Decision

The outturn report is an historical report enabling financial and service performance to be considered by Scrutiny Committee. The impact of the outturn on future years budgets will be assessed by Cabinet as part of this year's Budget cycle.

42. General Fund Capital Programme, 2010-211 and 2011-12

Consideration was given to the Report of the Head of Financial Management (Enclosure 23.1 – 23.5 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The 2010-11 General Fund & S.106 Capital Programmes Outturn Annexes (1 and 3) to the report be noted.
- (B) The 2010-11 General Fund & S.106 Capital Programmes Outturn scheme Variances Annexes (1 and 3) to the report be noted and approved.
- (C) The 2010-11 General Fund & S.106 Capital Programme Outturn Slippages as detailed in Annexes (1 and 3) to the report be noted and approved.
- (D) The estimated General Fund Capital Resources Annex (2) to the report be noted.
- (E) The revised General Fund & S.106 Capital Programmes Annex (4) and (5) to the report be noted.

Reason(s) for Decision

The report presented the 2010-11 General Fund & S.106 Capital Programme Outturn including actual variances and Slippage for approval. Further detailed information relating to the decisions were contained in the report and Annexes.

43. Exclusion of the Public

RESOLVED:

That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3, Part 1, Schedule 12A of the Local Government Act 1972 (as amended).

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
CABINET

HELD ON THURSDAY, 23 JUNE, 2011 AT 5.45 P.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 2

44. S.106 Dispute with ASDA

Consideration was given to the Not for Publication Report of the Corporate Director (Enclosure 25.1 – 25.9 of the Official Minutes of the Council)

RESOLVED:

That:

- (A) The current position with ASDA on the S106 agreement for community facilities be noted.
- (B) Option 4 – “status quo to 2016”, whereby the Council retained the funds but could not commit them to any project – was the preferred option.

Reason(s) for the Decision

Officers were unable to make any further progress on these matters, or commit the Council to taking legal action, without formal consideration by Cabinet. The chosen option means that the Council would take no further action at this time and allows the period to elapse. Consequently, there were no associated financial implications, although the funds could not be used during the period.

The meeting closed at 7.15 pm.

LEADER