

CANNOCK CHASE COUNCIL

MINUTES OF THE MEETING OF THE

CABINET

HELD ON THURSDAY, 12 MARCH, 2015 AT 4:00 P.M.

IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT: Councillors:

Adamson, G.	Leader of the Council
Lovell, A.	Corporate Improvement Portfolio Leader
Mitchell, Mrs. C.	Culture and Sport Portfolio Leader
Alcott, G.	Economic Development and Planning Portfolio Leader
Bennett, C.	Environment 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

121. Apologies

Apologies were submitted on behalf of Councillor M.J. Holder, Deputy Leader and Crime and Partnerships Portfolio Leader.

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

<u>Member</u>	<u>Interest</u>	<u>Type</u>
Lovell, A.	Works for an Artificial Turf manufacturer	Personal

No other Declarations of Interest were made in addition to those already confirmed by Members in the Register of Members' Interests.

123. Updates from Portfolio Leaders

Corporate Improvement

Consultation on Design of the Council's Website - The Portfolio Leader advised that extended consultation on the re-design of the Council's website closed on Friday, 13 March, 2015.

Culture and Sport

Former Stadium Site - The Portfolio Leader advised that work had started on the

play areas at the former Cannock stadium site. The new play area for toddlers and juniors was part of phase one of the project, a £1.3million investment, which would also include a multi-use games area, an adventure play area, a mountain bike trail, illuminated pathways and cycle trails, car parking, community allotments and the provision of trim trail exercise equipment. The design of the play area also incorporated the mining history of the area and the previous history of the athletics track.

Sport England Improvement Fund Bid - The Portfolio Leader also confirmed that that the Council had been successful in securing £390,039 of National Lottery funding from Sport England's Improvement Fund.

The Council was one of 12 projects across England to share in £4.3 million of National Lottery investment from the latest round of funding, which focused mainly on improving artificial grass pitches (AGPs) – used for a wide range of sports including hockey, football and rugby.

The Council's project would bring the disused and derelict former West Cannock Fives site at Bradbury Lane, Hednesford back into constructive use through the development of a full size floodlit 3G AGP, including goal recesses, a spectator area, a 7-a-side grass pitch, a new changing pavilion and on site car parking.

Planning permission for the new development was granted in November, 2014, and the Council was looking to complete the purchase of the site and start development during 2015.

Housing

Domestic Violence Refuge Funding - The Portfolio Leader advised that the Council had been successful in a joint bid with Stafford Borough Council and South Staffordshire District Council for funding from a £10 million Government scheme to help support refuges for domestic violence. The Councils had been awarded £116,946 of joint funding, to be administered by Stafford BC. This would help deliver a new refuge which was being built in Stafford, in partnership with Wrekin Housing Trust, Staffordshire Women's Aid and Stafford BC. The refuge would accommodate 12 women and up to 34 children and was due to open in September, 2015.

The Portfolio Leader advised that, during 2012, domestic abuse services were recommissioned across Staffordshire resulting in the loss of dedicated contracts for the provision of refuge accommodation. Whilst the funding came too late to save the former refuge in Maple Place, the new refuge would go some way towards meeting the needs of victims of domestic violence from Cannock Chase.

124. Minutes of Cabinet Meeting of 29 January, 2015

RESOLVED:

That the Minutes of the meeting held on 29 January, 2015, be approved as a correct record and signed.

125. Forward Plan

The Forward Plan of Decisions for the period March to May, 2015 (Item 5.1 – 5.2 of the Official Minutes of the Council) was considered.

RESOLVED:

That the Forward Plan of Decisions for the period March to May, 2015, be noted.

126. Recommendations and References for Determination and Minutes of Policy Development and Other Committees

RESOLVED:

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

- (i) Housing – 3 November, 2014

127. Amendments to Surveillance Policy

Consideration was given to the Report of the Council Solicitor (Item 7.1 – 7.4, plus Appendix, of the Official Minutes of the Council).

RESOLVED:

That the Surveillance Policy be amended in accordance with the Appendix attached to the report

Reason for Decision

The Council's current Surveillance Policy was adopted in June, 2013. Nationally, oversight of local authority procedures was maintained through the Office of the Surveillance Commissioner (OSC), who carried out regular inspections of local authorities.

Cannock Chase Council was inspected in October, 2014 and, as a result of matters of good practice raised in that inspection, it was considered prudent to take the opportunity to review and update the Council's current policy. Responsibility for reviewing the policy rested with legal services.

128. Quarter 3 Performance Report 2014-15

Consideration was given to the Report of the Managing Director (Item 8.1 – 8.61 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The performance information and the case studies relating to Priority Delivery Plans (PDPs) as detailed at Appendices 1-9 of the report, be noted.
- (B) The actions and indicators rated Red or Amber be noted, and the remedial action or rescheduled delivery stated to address performance be confirmed.
- (C) The General Fund financial performance against budget for the first Quarter at Appendix 9 to the report be noted.

Reason for Decision

Information for performance actions, indicators and case studies 2014/15 was included for relevant items in Appendices 1 to 8 of the report. The overall rankings for each Portfolio area were as detailed in Section 5 of the report, indicating that 86.1% of targets had been achieved during the third quarter of 2014/15. The recommendations reflected that this performance and any subsequent rescheduling be noted.

129. Redress Schemes for Lettings Agency work and Property Management Work – Requirement to Belong to an Approved Scheme

Consideration was given to the Report of the Head of Environmental Health (Item 9.1 – 9.7 of the Official Minutes of the Council).

RESOLVED:

That the amendment of the Scheme of Delegations to delegate responsibility for administering and enforcing the Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme, etc.) (England) Order 2014 to the Head of Environmental Health be approved.

Reasons for Decisions

The Order required that persons involved in letting agency or / and property management work in the private rented sector, be registered with an approved redress scheme. The Council was the enforcing authority for this statutory requirement and was obliged to take enforcement action where it was aware a person engaged in letting agency or property management work had failed to register with an approved redress scheme. A financial penalty of up to a maximum £5,000 could be levied against unregistered lettings / property management agents by the Council for failure to comply, though the Council had discretion to reduce the amount if it was satisfied that there were extenuating circumstances. There was also a statutory right of Appeal.

Currently, no qualifications, experience or independent approval were needed to operate as a property manager or lettings agent, and bad practice could be a frustrating and unpleasant experience for both landlords and tenants alike. The introduction of the legislation would provide tenants and landlords who received a poor service with a means of obtaining redress including compensation. The Order did not apply to Social Landlords, such as Local Authorities and Housing Associations, as they were already required to belong to the Housing Ombudsman Scheme by Schedule 2 to the Housing Act 1996.

130. 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).

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PART 2

131. Land at Wharf Road, Rugeley

Consideration was given to the Not for Publication Report of the Head of Economic Development (Item 11.1 – 11.9 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) An open market disposal of the freehold interest in land at Wharf Road, Rugeley be approved on terms and conditions to be agreed by the Head of Economic Development including the submission of planning application as required.
- (B) The Head of Economic development be authorised to enter into a Joint Venture Agreement with Staffordshire County Council for the joint disposal of the Wharf Road and former Pear Tree School sites on terms to be agreed by the Head of Economic Development.
- (C) The Head of Economic development be authorised to enter into any necessary supplementary agreements to facilitate the disposal of land at Wharf Road.
- (D) Submission of a detailed planning application for the extension of the Artificial Turf Pitch (ATP) at Rugeley Leisure Centre be approved, including entering into any agreements required to enable an approved scheme to be implemented.

Reason for Decisions

The site in question was a relatively small triangular piece of vacant scrub land (2.99 acres) located at the back of residential properties off Hardie Avenue (the Pear Tree estate), Rugeley. The site was opposite Rugeley railway station, bounded by an electricity substation and visually unattractive. The site was in close proximity to the former Pear Tree Primary school site owned by Staffordshire County Council see plan attached for relationships).

The Council was previously the recipient of reclamation funding under the Derelict Land Reclamation Programme, now administered by Homes and Communities Agency (sponsored by DCLG), specifically for improving land at Wharf Road and the Rugeley Town railway station car park. In September, 1996, the Land and Economic Development Sub-Committee recommended disposal of land at Wharf Road on the open market but at that time this was for industrial/commercial uses, and the site had subsequently been unable to

attract private sector interest for these uses.

The adopted 1997 Local Plan allocated the Wharf Road site as an employment site; however, by 2008 the site was considered as an appropriate residential development site and included in the 2008 Strategic Housing Land Availability Assessment (SHLAA). This was considered more suitable given its relationship with its surroundings and adjacent residential uses.

An approach from SCC to work jointly with the Council on bringing forward land at Wharf Road and The Pear Tree Site under a formal Joint Venture Agreement had been made. There were significant benefits to working jointly including achieving more comprehensive development in the area and maximising potential capital financial receipts of the sites.

To achieve disposal of the Pear Tree site the Council and SCC needed to demonstrate a commitment to providing satisfactory compensatory sporting provision. It was proposed to achieve this by submitting a planning application to extend the current ATP facility at Rugeley Leisure Centre from half size to full size. The application would be submitted in parallel to the residential planning application for both the Wharf Road and Pear Tree sites and was seen as critical to achieving satisfactory compensatory sporting provision and in reducing the risk of any objections from Sport England on the Pear Tree Site.

Delivery of the extended ATP facility would need to be funded from the capital receipts achieved from disposal of Wharf Road and Pear Tree. There was an expectation that SCC and the Council would need to secure and implement the improvement in parallel with any development of the Pear Tree and Wharf Road site.

Financial commitments contained in the Rugeley Leisure Centre Lease signed 26 August, 2011 were to be met from the SCC capital receipt secured from the disposal of the Pear Tree Site. This may necessitate amendment to the terms of this lease and the recommendations provided for this eventuality.

132. Debt Recovery

Consideration was given to the Not for Publication Report of the Head of Finance (Item 12.1 – 12.20 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The amounts detailed in Appendices 1, 2 and 3 to the report be written off.
- (B) The actions of the Head of Finance in writing off the irrecoverable debts, below £1,000 be noted.

Reasons for Decisions

Council Tax - Appendix 1 to the report listed Council Tax arrears over £1,000 which could not be collected for the reasons stated, consisting of 28 cases with arrears totalling £47,086.96. All of the amounts written off would be charged against the provision for bad debts.

Non-Domestic Rates - Appendix 2 to the report listed Non-Domestic arrears over £1,000 which could not be collected for the reasons stated, consisting of

16 cases with arrears totalling £191,495.61.

Some of the Business Rates debts were being recommended for write-off on the grounds of insolvency of the companies that previously occupied properties. It was not uncommon in these circumstances for the properties concerned to be re-occupied, fairly quickly, by new companies often with similar names to the insolvent organisation. Therefore, it often appeared that the company had continued to trade, though this was not the case.

Where such a situation occurred, the new occupier was an entirely separate legal entity to the previous occupant and could not be held liable for rates due from the insolvent company. The debts were only submitted for write-off when Officers were sure that they could not be recovered.

The largest bad debt on the Business Rates schedule, related to Bannack Sales Ltd, with over £100,000 owing in respect of that account. The company retained responsibility for a very large unit for over two years, without having any assets against which the debt could be recovered. The company was dissolved on 29 October, 2013. A director of the company had been disqualified from being a director of any company until April 2018, but had previously been the director of 11 different companies including Bannack Sales Ltd., Brian James Holdings Ltd., Brian James Interiors Ltd., and Midland Furniture Outlets Ltd. Of these companies, only Midland Furniture Outlets Ltd remained in existence and that too was subject to a proposal to strike off.

Two debts for Brian James Holding Ltd. In relation to the same property totalling more than £42,000 were written off, following that company going into receivership in 2011.

Housing Benefit Overpayments - Appendix 3 listed Housing Benefit Overpayments with arrears over £1,000 which could not be collected for reasons stated, consisting of 10 cases with arrears totalling £18,293.29.

The meeting closed at 4.30 p.m.

LEADER