

**CANNOCK CHASE COUNCIL**  
**MINUTES OF THE MEETING OF THE**  
**CABINET**

**HELD ON THURSDAY 14 DECEMBER 2017 AT 4:00 P.M.**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**

**PART 1**

PRESENT: Councillors:

Adamson, G.	Leader of the Council
Kraujalis, J.T.	Corporate Improvement Portfolio Leader
Bennett, C.	Crime and Partnerships Portfolio Leader
Mitchell, Mrs. C.	Culture and Sport Portfolio Leader
Preece, J.P.T.L.	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

**57. Apologies**

Apologies for absence were submitted for Councillor G. Alcott, Deputy Leader of the Council and Economic Development and Planning Portfolio Leader, who was representing the Council at a European Social Investment Fund meeting in Birmingham.

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

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

**59. Updates from Portfolio Leaders**

**Crime and Partnerships**

Safer Neighbourhood Panels

The Portfolio Leader advised that at a meeting he attended earlier in the day, Matthew Ellis, Staffordshire Police and Crime Commissioner, had announced that training would be given to existing members of Safer Neighbourhood Panels to help develop their roles. It was also expected that local Chief Inspectors should be more accountable to the Panels, and on a more regular basis. Where Panels were not considered to be performing as expected by Mr Ellis, he would seek to reclaim funds provided to councils for the purpose of supporting the work of the Panels.

**60. Minutes of Cabinet Meeting of 16 November 2017**

RESOLVED:

That the Minutes of the meeting held on 16 November, 2017, be approved as a correct record and signed.

**61. Forward Plan**

The Forward Plan of Decisions for the period December, 2017 to February, 2018 (Item 5.1 – 5.2 of the Official Minutes of the Council) was considered.

RESOLVED:

That the Forward Plan of Decisions for the period December, 2017 to February, 2018 be noted.

**62. Financial Plan 2017/18 to 2020/21**

Consideration was given to the Report of the Head of Finance (Item 6.1 – 6.17 of the Official Minutes of the Council).

The Head of Finance advised that since the Report had been published, an average pay award of 2.7% for local government staff in 2018/19 and 2019/20 had been proposed, which would have the effect of reducing the Council's projected budget surplus in 2020/21. Details of the 2018/19 Local Government Finance Settlement were expected to be published week commencing 11 December, 2017, but as at 14 December the Settlement was still unknown. An announcement regarding the Business Rates Retention Pilots was also still awaited.

RESOLVED:

That:

- (A) The Financial Plan 2017/18 to 2020/21 be noted.
- (B) The forecast outturn for 2017/18 be approved.
- (C) The General Fund working balances be determined as part of the Risk Analysis undertaken in finalising the preparation of the 2018/19 budget.
- (D) The draft Capital Programme 2017/18 to 2020/21 and available resources be noted.
- (E) The principles set out in the Council's Financial Plan be adopted in finalising preparation of the 2018/19 budget.

Reasons for Decisions

The report set out the Council's forecast financial position for the next three years, incorporating anticipated spending pressures and savings already identified. Financial resources available to the Council over the three year period were also set out. The Financial Plan reflected the Government's current funding regime.

Council, at its meeting on 8 February 2017, approved the General Fund Revenue Budget and Capital Programme for 2017/18 to 2019/20. The General Fund Revenue Budget reflected the implementation of the comprehensive Financial Recovery Plan to set a balanced budget by 2019/20. A small deficit of

£0.181 million was forecast for 2019/20, however a number of savings strands existed to address this deficit.

A great deal of uncertainty existed at the time of the Budget Report in relation to the Government's Funding Regime and this still remained the same as at today. In particular, the proposed 100% Business Rates Retention Scheme, which was originally planned for implementation in 2019/20, was not included in the current legislative programme of Government, whereas the New Homes Bonus Scheme was subject to annual review. Further clarification was being sought on the timeline for changes to the Local Government Funding however it was likely that the current regime would remain in place until 2020/21 at the earliest.

The Financial Plan therefore represented a refresh of the assumptions as contained in the Approved Financial Plan (Council, 8 February 2017), taking into account the outturn for the last financial year and the first seven months of the current financial year.

In accordance with the Financial Plan a balanced budget now existed in 2020/21, pending any changes to the Government's Funding Regime, with a contribution from working balances required in 2018/19 and 2019/20.

Subject to approval, the Financial Plan, together with the current Council's Budget Strategy, would provide the framework for preparation of detailed budgets for consideration by Cabinet in January 2018.

**63. Hawks Green Depot Vehicle Workshop Replacement Roof – Application for Permission to Spend**

Consideration was given to the Report of the Head of Housing and Partnerships (Item 7.1 – 7.3 of the Official Minutes of the Council).

RESOLVED:

That permission to spend £70,000 on a replacement roof and essential works on the Vehicle Workshop located at the Hawks Green Depot be granted.

Reason for Decision

The Council's Vehicle Workshop required extensive essential building works to the roof and structure in order to make it fully safe and operational. The works were estimated to cost in the region of £65,000 to £70,000.

**64. Cannock Indoor Market Hall**

Consideration was given to the Report of the Head of Housing and Partnerships (Item 8.1 – 8.8 of the Official Minutes of the Council).

RESOLVED:

That

- (A) The impact of the savings options on Cannock Indoor Market Hall be noted.
- (B) The existing rental discounts given to new and existing traders, together with the current income received from Cannock Market Hall be noted.
- (C) No further rental discounts be awarded.

## Reasons for Decisions

At its meeting on 22 September 2016, Cabinet considered a range of savings options related to the Council's Financial Recovery Plan and made a decision to go out to public consultation on a number of them including options related to Cannock Market Hall.

Following a review of the public consultation results, Cabinet met on 15 December 2016 and agreed a draft budget that included the following proposals:

- (i) An increase of 3% in Cannock Market Hall Fees;
- (ii) An increase in Cannock Market Hall trading days from 3 days per week to 4 days per week;
- (iii) Creation of a new entrance and additional stalls at Cannock Market Hall utilising vacant shop unit 1 Market Hall Precinct.

The increases in stall fees and trading days were implemented on 1 April 2017, with Thursdays becoming a trading day in addition to Tuesdays, Fridays and Saturdays.

Whilst there were few objections from existing traders to the increase in stall rents which had not been increased for a number of years, the majority of existing traders were against the increase in the number of trading days. The immediate result of the changes was that 24% of existing traders left the Market Hall at the end of March 2017, which resulted in a 29% drop in the number of open stalls. However, some of the stallholders that left were senior in years and were already contemplating retirement prior to the implementation of the Council's decision.

The creation of the new entrance off Littleton Square, incorporating four new stalls, was completed in time for a Cannock Indoor Market relaunch event on 19 May 2017. New bright and welcoming signage had also been installed at all of the Market entrances raising the profile of the Market Hall within the town centre.

Marketing and promotion of the Market Hall was ongoing and the attraction of new traders was a priority. The Council currently offered the following discounts to new traders:

- Food traders – 50% rent discount for their first six months of trading;
- Non-food traders – 25% discount for their first six months of trading.

In addition, existing traders were encouraged to work with the Council using their own stalls to generate a positive and vibrant atmosphere within the Market Hall.

Notwithstanding Officers' commitment to marketing and promotion of the Market Hall, there had been very little interest from prospective new traders. Where potential new traders had expressed an interest the reasons given for not taking a stall included the number of vacant stalls within the Market Hall. The proportion of vacant stalls had consistently been greater on a Thursday (the additional trading day) as a number of existing traders declined to attend the Market Hall on the additional day. The traders in question were charged rent for the stall whether or not they opened for trade on a Thursday however this proved insufficient to persuade them to open for trade.

Following a meeting with the indoor market traders in July, it was agreed that for a period of six months, traders would receive a rent free day on a Thursday provided that they opened their stall for business. This equated to a 25% rent discount. Traders that still failed to trade on a Thursday paid full rent. The

justification for the grant of the discount to existing traders was to achieve the same level of occupancy on Thursdays as on the other market days. Unfortunately there were still two traders within the Market Hall that do not open for trade on a Thursday.

There had been no noticeable increase in rental arrears in respect of the indoor market since the implementation of the savings options. However the indoor market traders considered the additional trading day to be a significant threat to the viability of their business and to the future of the Indoor Market, and have asked that the Council give them further rent discounts above the 25% discount described above.

The Market Hall footfall figures had been analysed for the six months period since the implementation of the savings options and compared to the footfall figures for the same period in the year before when the Market enjoyed an average 85% occupancy level. The figures demonstrated that from 1 April to 30 September 2017 there had been a 10% reduction in footfall into the Market since the same period last year. However the footfall figures for the same time period in 2016 show a reduction of 16% over the same period in 2015. There was no evidence therefore that the decline in footfall was attributable solely to the implementation of the savings options.

Due to the loss of stallholders as a result of the additional trading day being implemented the rental income received by the Council from the Market Hall has reduced considerably. In the financial year 2016/17 the shortfall of actual income compared to target income was 9.2%. Based on income received during the first six months since implementation of the savings options the forecast shortfall in income compared to target would be 33.6%. The grant of further rent discounts to existing and/or new traders would result in a greater loss of income to the Council. Whilst the Market Hall was still forecast to be in profit by the end of this financial year it would be less than half the profit achieved by the Market Hall in the previous financial year.

**65. Proposed Amendments to the Scheme of Delegations for Neighbourhood Planning and Supplementary Planning Documents**

Consideration was given to the Report of the Interim Head of Economic Development (Item 9.1 – 9.7 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) Authority be delegated to the Head of Economic Development to take all steps in the preparation of a Neighbourhood Plan except for the final making (adoption) of a Neighbourhood Plan by the Council, and that the Council's Scheme of Delegations be amended by the insertion of a new paragraph stating this.
- (B) The Scheme of Delegations paragraph 26.5.20 be amended to say: 'To make non-substantive amendments to adopted Supplementary Planning Documents (SPDs) in consultation with the Economic Development and Planning Portfolio Leader.'

## Reasons for Decisions

Neighbourhood Planning was a way in which communities could shape the future of the places where they lived and worked. Neighbourhood Planning allowed communities, should they wish to do so, to set planning policies through a Neighbourhood Plan or grant planning permission through a Neighbourhood Development Order or Community Right to Build Order. Neighbourhood Plans could not be used to prevent or stifle development and had to meet a number of Basic Conditions which included being in broad conformity with the Local Plan. They had to be independently examined to ensure they conformed to the relevant conditions and were then subject to referendum. Should the vote be in favour of the plan, then this could be made (adopted) by the Local Authority and it would then become part of the Development Plan and this a material consideration in decision making for planning applications.

The Council had a statutory duty to support Neighbourhood Plans. Their production involved a number of formal stages, some of which required formal action by the Council to some strict deadline, many of which were not likely to be achievable taking into account committee cycles and lead-in times. Further detail was set out in section 5 of the report, but in order to ensure that the Council fulfilled its legal obligations it was considered necessary that responsibility for these key functions, with the exception of the final making (adoption) of the plan, be delegated to the Head of Economic Development in consultation with the Economic Development and Planning Portfolio Leader.

Cannock Chase District currently had two Neighbourhood Plans in preparation: Hednesford Neighbourhood Plan which had reached the formal, statutory consultation stages; and Brereton and Ravenhill which was in the early stages of formulation.

In relation to Supplementary Planning Documents, section 26.5.20 of the current Scheme of Delegations referred very specifically to the delegated powers of the Head of Economic Development to make any further minor amendments to the Design SPD in consultation with the Economic Development and Planning Portfolio Leader. There were other SPDs produced by the Planning Policy service, so, for the purposes of consistency, it would be pragmatic to update the wording to state 'to make non-substantive amendments to adopted SPDs in consultation with the Economic Development and Planning Portfolio Leader.'

### **66. 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 2 and 3, Part 1, Schedule 12A of the Local Government Act 1972 (as amended).

**CANNOCK CHASE COUNCIL**  
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**HELD ON THURSDAY 14 DECEMBER 2017 AT 4:00 P.M.**

**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**

**PART 2**

**67. Former Tenants' Arrears Debt Recommended for Write-Off**

Consideration was given to the Not for Publication Report of the Head of Housing and Partnerships (Item 11.1 – 11.11 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The former tenants' arrears as detailed in Appendix 1 to the Report be approved for write-off.
- (B) The revised Former Tenant Debt Recovery Policy, attached as Appendix 2 to the Report, be approved.

Reasons for Decisions

Appendix 1 to the Report presented twelve former tenants' arrears cases of £1,000 or above which could not be collected for the reasons identified in Report paragraphs 5.1(a)-(d). The arrears totalled £17,603.29.

In relation to former tenants' arrears cases of £1,000 or above for the period up to 31 March 2017 which could not be collected for reasons identified in Report paragraph 5.1(d), the Council's external auditors reported to the Audit & Governance Committee on 19 September 2017 that "During the course of our audit we noted that former tenants' arrears total £1,025k for which a provision of £0.974 million exists. Our discussions with management confirmed that Council Policy is not to write off debt until all potential collection methods have been exhausted however there is a significant proportion of this debt £0.409 million which is highly unlikely to be collectable due to the debt being 6 years old or greater. A large proportion of this debt has been brought forward from the previous Housing System (Navision) and will create a bottleneck in the Management Information system. We concluded that there is a need for management to critically review this balance and undertake housekeeping by writing off old debt that is highly unlikely to be collectable and focusing attention on current and collectable arrears."

In order to improve performance of the recovery of the form tenants' debt a revised Former Tenant Debt Recovery Policy was attached at Appendix 2 of the Report. The revised policy aimed to ensure that approval for write-off was sought promptly as soon as debt became uncollectable.

## 68. Rugeley Boxing Club

Consideration was given to the Not for Publication Report of the Head of Housing and Partnerships (Item 12.1 – 12.4 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) Minute no. 84 of Cabinet held on 15 December, 2016 be rescinded, that approved the recommendation set out in paragraph 5.6 of the related Cabinet report of the same date for the grant of a lease extension at a favourable (non-market) rent, with fixed five-yearly rent increases to be agreed, having regard to the community benefits provided by this club and its charity status.
- (B) The grant of a lease extension of an additional 19 years at a favourable (non-market) rent of £300 per annum for the full 19 year term of the extended lease be approved.
- (C) Authority be delegated to the Head of Housing and Partnerships to agree terms and conditions and all other actions required to implement the decisions.

### Reasons for Decisions

The Rugeley Boxing Club was located on a Council-owned land site of some 650 square metres in Wellington Road, Rugeley, and moved to this site in 1986 following the constructions of the existing buildings by the club in accordance with the terms of a lease from the Council for 21 years from 25 December, 1983.

The current lease to the 'Trustees of Rugeley (Police) Community and A.B.C.' was for a term of 14 years from 25 December, 2004 to 24 December, 2018 at an annual rent of £150.

Rugeley Boxing Club was a registered charity, operated on a 'voluntary donation' approach by its users and was open to both males and females and to all ages.

The only registered members of the Club were those that competed but otherwise all those who used the Club for exercise/fitness purposes did this on a 'drop-in' basis so that the Club offered both health and social benefits to people of all ages using the facilities. The weekly attendance averaged 60 to 70 attendees which was considered to be full capacity. Historically the Club had a strong police connection with several serving police understood to attend and a serving police sergeant being on the Club committee.

Rugeley Boxing Club was seeking an extended lease term of sufficient duration to allow the Club to secure further funds to finance the construction of a building extension for which planning permission was obtained on 12 August, 2015. The proposed extension was indicative of the Club's need for additional capacity to meet the needs of the community.

Extension of the lease term would need to be on favourable 'non-commercial' terms in order to enable the Rugeley Boxing Club to secure finance, build the proposed extension and continue to operate the Club in its existing form.

The meeting closed at 4:18 p.m.

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LEADER