

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
CABINET

HELD ON THURSDAY 16 MARCH 2017 AT 4:00 P.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT: Councillors:

Adamson, G.	Leader of the Council
Alcott, G.	Deputy Leader of the Council and Economic Development and Planning Portfolio Leader
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

98. Apologies

None.

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

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

100. Updates from Portfolio Leaders

Leader

Head of Environmental Health

On behalf of the Cabinet, the Leader thanked the Head of Environmental Health for his service to the Council and wished him well for his forthcoming retirement.

The Environment Portfolio Leader also offered thanks for the support provided in helping to understand and manage the responsibilities of the portfolio.

Corporate Improvement

Heritage Trail Bridge, Rising Brook, Rugeley

The Portfolio Leader advised that large stones had been removed from underneath the bridge structure which had resulted in the bridge fully collapsing last week. As a result, additional rebuild costs could be incurred, but this would not be known until the full extent of the damage was assessed.

101. Minutes of Cabinet Meeting of 19 January, 2017

RESOLVED:

That the Minutes of the meeting held on 19 January, 2017, be approved as a correct record and signed.

102. Forward Plan

The Forward Plan of Decisions for the period March to May, 2017 (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, 2017 be noted.

103. Recommendations of Scrutiny Committees

None received.

104. Quarter 3 2016-17 Priority Delivery Plans Performance Report

Consideration was given to the Report of the Head of Governance (Item 7.1 – 7.50 of the Official Minutes of the Council).

RESOLVED:

That

- (A) The performance information relating to the Priority Delivery Plans, as detailed at Appendices 1 to 6 of the report, be noted.
- (B) The actions which have been flagged as requiring amendment to the timescale, scope or timeline, be noted.

Reason for Decisions

Information for performance actions and indicators for Quarter 3 2016/17 was included for relevant items in Appendices 1 to 6 of the report. The overall rankings for each Portfolio area were detailed in section 5 of the report, indicating that 69.4% of actions/projects had been achieved or were on target to be achieved. 3.2% had been aborted or closed and 27.4% had been flagged as requiring amendment to the timescale, scope or timeline.

105. Public Spaces Protection Order (Gating) 2017

Consideration was given to the Report of the Head of Environmental Health (Item 8.1 – 8.13 of the Official Minutes of the Council).

RESOLVED:

That a Public Spaces Protection Order be made under the provisions of the Anti-

Social Behaviour, Crime and Policing Act 2014, in respect of School Lane, Little Wyrley; Newlands Lane, Norton Canes; and Reservoir Road, Hednesford.

Reasons for Decision

The Anti-social Behaviour, Crime and Policing Act 2014 (the Act), provided that existing Gating Orders made under Section 129A of the Highways Act 1980 would expire three years from the date the Act came into force, namely 21 October, 2017. The power to make new Gating Orders was also repealed by the Act by effect from 20 October, 2014.

Section 59 of the Act provided local authorities with powers to make Public Spaces Protection Orders (PSPOs). These Orders were intended to address activities carried out in public spaces which were considered to be of an anti-social nature. They could be used by councils to maintain and/or extend the requirements of Orders scheduled to expire.

The PSPO identified a particular public place and either prohibited specified activities/behaviour or required specified actions/steps to be taken. The measures would impose similar restrictions and requirements to those which could be created under Gating Orders and were designed to make public spaces more welcoming to the majority.

A local authority could make a PSPO if it was reasonably satisfied that a number of conditions were met, namely that:

- the activities carried out in a public place within the authority's area had had a detrimental effect on the quality of life of those in the locality or that it was likely that activities carried out would have such an effect;
- the effect or likely effect of the activities was, or was likely to be of a persistent or continuing nature;
- the activities were or were likely to be unreasonable; and
- the impact of the activity justified the restrictions imposed by the Order.

The intention to make the Order was subject to consultation in accordance with the provisions of Section 72 of the Act. Before introducing a PSPO, the Council was obliged to carry out consultation with the chief officer or police, the local policing body, community representatives and owners/occupiers of land covered within the Order. The consultation was publicised in accordance with the statutory requirements. A Public Notice was issued in the Cannock and Rugeley Chronicle edition of 1 December, 2016, and copies were made available in Council Offices.

The Consultation period ended on 29 December, 2016, and no responses were received. A copy of the Public Notice was included at Appendix 1 to the report.

Following the declaration of the PSPO an aggrieved person could challenge the Order. A period of 6 weeks was allowed for such a challenge to be made in the High Court.

106. Delivery of Disabled Adaptations and Policy for Discretionary Housing Assistance

Consideration was given to the Report of the Head of Environmental Health (Item 9.1 – 9.9 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The proposals for in-house delivery of Disabled Facilities Grants (DFGs) as detailed in paragraphs 5.1 to 5.8 of the report, be approved.
- (B) The Policy for Discretionary Housing Assistance, as attached at Appendix 1 to the report, be approved.
- (C) Power to approve discretionary housing assistance be delegated to the relevant Head of Service.

Reasons for Decisions

As a result of a dispute with Staffordshire County Council over the transfer of DFG funding, this Council would be making its own arrangements for the delivery of DFGs from 1 April, 2017.

In order to offer wider assistance than the basic mandatory DFG, a local housing authority must adopt a policy which explained how that authority would use its powers. This policy must be notified to the public and a copy made available at this Council's offices. A summary document must also be available.

107. Declaration of an Air Quality Management Area (AQMA) 'Five Ways Island' Junction, A5190, Heath Hayes

Consideration was given to the Report of the Head of Environmental Health (Item 10.1 – 10.6 of the Official Minutes of the Council).

RESOLVED:

That an Order be made under Section 83 of the Environment Act 1995 declaring an Air Quality Management Area.

Reasons for Decision

The outcome of an assessment of the air quality in the area in the vicinity of 'Five Ways Island', Heath Hayes, in 2016 was that it was necessary to declare an Air Quality Management Area (AQMA) for the following area:

- The A5190 Cannock Road between the junction with Heath Way and the eastern boundary with Lichfield District Council;
- The B4154 Hednesford Road between the junction with Brownhills Road, Norton Canes, and Hayes Way, Heath Hayes;
- Wimblebury Road between the junction with the A5190 and B4154, and the junction with Brickworks Road.

The declaration of the AQMA was required because levels of Nitrogen Dioxide had been found to exceed the National Air Quality Standard. Under those circumstances the Council was obliged by the provisions of the Environment Act 1995 to declare an AQMA. A map detailing the AQMA was attached as Appendix 1 to the report.

108. Garage Sites and Other Council Owned Land – Redevelopment Scheme

Consideration was given to the Report of the Head of Housing and Waste Management (Item 11.1 – 11.38 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) formal grant offer, as attached to the report at Appendix 1, be noted.
- (B) Further scheme approval and permission to spend for the Garage Sites and Other Council Owned Land Redevelopment Scheme be agreed.
- (C) The Head of Housing and Waste Management, following consultation with the Housing Portfolio Leader, be authorised to substitute as necessary alternative garage sites which had been approved for disposal or for the provision of affordable housing.

Reasons for Decisions

Cabinet on 16 June, 2016, agreed scheme approval and permission to spend to develop 25 units on 5 garage sites. The offer of the GBSLEP grant of £585,000 formed part of the £4,812,000 budget provision that existed with the agreed Housing Revenue Account (HRA) Capital Programme 2016-17 to 2018-19 for the development of former garage sites and enabled the Council to develop a total of 11 sites and secured a total of 39 units of affordable rented Council accommodation.

Scheme approval and permission to spend was sought in respect of the Garage Sites and Other Council Owned Land Redevelopment Scheme. Details of the additional developments for scheme approval were set out in section 5 and Appendix 2 of the report, and were in accordance with the development brief agreed by Cabinet on 29 January, 2015.

A long list of 12 potential sites formed part of the original tender process in the event that additional funds became available. Novus Property Solutions had therefore already worked designed and costed proposals for each site as part of their tender submission. Following the successful GBSLEP bid, Novus carried out further investigative works on the additional sites and sought pre-application planning advice. Changes to site layouts, house types and costs, and contingency items being finalised rather than estimated, had resulted in a total scheme cost for all 11 sites of £4,715,289. This was £82,852 less than originally anticipated.

109. Moss Road Estate Reema Flats Redevelopment Scheme and Environmental Works

Consideration was given to the Report of the Head of Housing and Waste Management (Item 12.1 – 12.4 of the Official Minutes of the Council).

RESOLVED:

That permission to spend be granted for the associated Environmental Improvement Works on the Moss Road Reema Flats Redevelopment Scheme.

Reasons for Decision

Cabinet on 17 July, 2014, gave scheme approval and permission to spend for the Moss Road Reema Flats Redevelopment Scheme.

The Council had since entered into contract with Keepmoat Homes Limited to build a mixed tenure scheme of 141 houses, of which 65 were Council houses for rent.

As part of the 17 July, 2014 report on the Moss Road Reema Flats Redevelopment Scheme, Item 5.11 included environmental improvements to driveways and retaining walls around the Council's existing properties as part of the contract, with the cost of those works able to be accommodated within the agreed budget.

Those environmental improvement works had now been tendered for and permission to spend was requested.

The works would be completed within the same timescales of the development scheme, which was March 2018.

The meeting closed at 4:30 p.m.

LEADER