

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
CABINET

HELD ON THURSDAY 17 OCTOBER 2019 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 Town Centre Regeneration Portfolio Leader
Pearson, A.R.	Corporate Improvement Portfolio Leader
Mitchell, Mrs. C.	Culture and Sport Portfolio Leader
Johnson, T.B.	Economic Development and Planning Portfolio Leader
Preece, J.P.T.L.	Environment Portfolio Leader
Martin, Mrs. C.E.	Health and Wellbeing Portfolio Leader
Kraujalis, J.T.	Housing Portfolio Leader
Woodhead, P.E.	<i>Invitee (non-voting Observer)</i>

46. Apologies

Apologies for absence were submitted for Councillor C. Bennett, Crime and Partnerships Portfolio Leader.

47. 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.

48. Updates from Portfolio Leaders

Environment

BBC Documentary

The Portfolio Leader advised that the Council had been approached by the BBC 'Defenders', a daytime documentary series following the work of enforcement officers. They would be filming and interviewing environmental health officers in relation to the successful prosecution of Mr K Bramwell in August for running an illegal puppy farm in Rugeley. Filming was due to take place on 28 October and the programme would be broadcast early next year.

Health and Wellbeing

Benefits Processing Claims 2018/19

The Portfolio Leader advised that on an annual basis, the Department for Work and Pensions (DWP) reported on the time taken by local authorities to process benefits claims. For the 2018/19 financial year, Cannock Chase District Council was the best performing local authority in Staffordshire and well below the national average for processing times.

The Head of Finance reported that the 2018/19 figures were as follows:

- Cannock Chase DC – 15 days
- Staffordshire-wide – 25 days
- West Midlands region – 19 days
- Nationally – 21 days.

49. Minutes of Cabinet Meeting of 19 September, 2019

RESOLVED:

That the Minutes of the meeting held on 19 September, 2019, be approved as a correct record and signed.

50. Forward Plan

The Forward Plan of Decisions for the period October to December 2019 (Item 5.1 – 5.3 of the Official Minutes of the Council) was considered.

RESOLVED:

That the Forward Plan of Decisions for the period October to December 2019 be noted.

51. Updated Community Infrastructure Levy Infrastructure List (Former Regulation 123 List)

Consideration was given to the Report of the Head of Economic Prosperity (Item 6.1 – 6.15 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) Council, at its meeting to be held on 6 November 2019, be recommended to rename the updated Regulation 123 List (attached as Appendix 1 to the report) as the 'CIL Infrastructure List', and that it be adopted and approved for publication on the Council's website, replacing the previous Regulation 123 List (attached as Appendix 2 to the report).
- (B) The changes in the Community Infrastructure Levy Regulations 2010 (as amended) that will result in the Regulation 123 List being replaced with an annual infrastructure funding statement by 31 December 2020, be noted.

Reasons for Decisions

It was important that the Community Infrastructure Levy (CIL) Regulation 123 List was reviewed and kept up-to-date. It was last updated in 2016 to reflect specific issues in relation to the Mill Green Designer Outlet Village (see Council

report 06/07/16). Previously approved protocols (see Cabinet report 23/07/15) allowed for the list to be updated alongside the CIL allocation of funds process. The Council was now carrying out its first allocation of CIL funds process this year. It was therefore appropriate to update the CIL Regulation 123 List.

As of 1 September 2019, amendments to the Community Infrastructure Levy Regulations 2010 (‘the Regulations’) came into effect. In order to increase transparency, the Government set out new requirements under these Regulations for councils, which were charging authorities for the purposes of the Regulations, to publish an annual ‘infrastructure funding statement’. The first such statement must be published by 31 December 2020. This would set out how much CIL had been collected, how much had been spent and what it had been spent on. As part of the changes to the Regulations, regulation 123 was removed. Under this regulation, local authorities could identify infrastructure that was intended to be funded by CIL, and it was common practice to refer to this list as a CIL Regulation 123 List. As regulation 123 had been removed from the Regulations but an infrastructure list was still required at present, it was proposed to rename it the CIL Infrastructure List. Further details of the implications of the removal of regulation 123 from the Regulations were set out in report paragraph 5.8.

Prior to 31 December 2020, the CIL Regulation 123 List (renamed the CIL Infrastructure List) published by the Council, of the infrastructure projects or types of infrastructure that it intended would be, or may be, wholly or partly funded by CIL, remained relevant. Therefore, it was appropriate to fund projects listed on the CIL Infrastructure List via CIL for this year’s allocation process and this required the CIL Infrastructure List to be up-to-date.

52. Local Plan Issues and Options Consultation: Feedback and Next Steps

Consideration was given to the Report of the Head of Economic Prosperity (Item 7.1 – 7.277 of the Official Minutes of the Council).

A Member advised that concerns had been raised previously over the Council’s lack of powers when it came to delivery/provision of infrastructure as part of housing development schemes as these matters were the responsibility of Staffordshire County Council. It was felt that provision of such infrastructure (e.g. highways improvements, schools, doctor surgeries etc.) had been delivered too slow, and in some instances, not at all.

Another Member raised concern that funding for provision of educational facilities was often not provided until new housing developments had been completed, which had resulted in families moving out of such properties due to a lack of available school places in the local area.

RESOLVED:

That:

- (A) The feedback received on the Cannock Chase Local Plan Review Issues and Options Consultation be noted.
- (B) The next steps in progressing the Local Plan Review be noted, including resource implications associated with updating the evidence base, as well as staffing impacts that were reflected in the proposed timeframe for the Local Plan Review going forward.

- (C) Further to Minute No. 98 of the Cabinet meeting held on 24 March 2016, authority be delegated to the Head of Economic Prosperity, in consultation with the Group Leaders, to amend membership of the Local Plan Working Group to reflect the current political balance of the Council.

Reasons for Decisions

A new National Planning Policy Framework (NPPF) was launched in 2018, replacing the 2012 Framework that introduced a number of significant changes to the planning system. These changes necessitated a review of strategic policies that were contained in Local Plan (Part 1), and which would need to be updated to comply with the new NPPF.

The current Local Plan (Part 1) was adopted in 2014, and following Council approval on 21 February 2018, work that had started on Part 2 of the Plan ceased, and authority to commence a full review of the Local Plan was obtained. A new Local Development Scheme was adopted at the same time and a timetable for the Local Plan Review was approved.

In addition, the Greater Birmingham and Black Country Housing Market Area (GBBCHMA) housing shortfall had emerged, requiring consideration across the entire Housing Market Area. In order to start to address the shortfall, Local Plans needed to align to a longer timeframe and test development scenarios that could potentially meet the shortfall over the plan period.

Minute 98 of the Cabinet meeting held on 24 March 2016 put in place a structure that defined the composition of the Local Plan Working Group as being 4 Labour members and 3 from the other Political Groups. The structure was not now reflective of the Council's current political balance, and therefore needed to be amended to be more representative.

53. Local Development Scheme Revision

Consideration was given to the Report of the Head of Economic Prosperity (Item 8.1 – 8.18 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The Cannock Town Centre Area Action Plan not be proceeded with, and that strategic policies related to Cannock town centre be taken forward through the Local Plan Review.
- (B) Council, at its meeting to be held on 6 November 2019, be recommended to approve the Local Development Scheme (attached as Appendix 1 to the report), covering the period November 2019 to November 2022, and that it be brought into effect on 6 November 2019.

Reasons for Decisions

The previous Local Development Scheme (LDS) was adopted on 21 February 2018, and approved the start of a Local Plan Review upon cessation of work to progress Part 2 of the Local Plan. The revised National Planning Policy Framework (NPPF) and the Birmingham and Black Country Housing Market Area housing shortfall necessitated a fundamental review of key housing policies that were contained in Part 1 of the Cannock Chase District Local Plan. Other councils within the Housing Market Area were similarly undertaking reviews to

seek to contribute toward meeting the shortfall.

The Cannock Town Centre Area Action Plan was identified within the LDS as a Local Development Document to be prepared by the Council. Town centres were going through transition and changes were happening rapidly, requiring a new flexible approach to deal with the challenges that centres faced. The NPPF now promoted flexible strategies for town centres, and in this context, Area Action Plans were not considered to be the best way responding to rapidly changing circumstances, as witnessed in the retail and leisure environments.

A number of factors had delayed the progress of the Local Plan Review as outlined in the LDS. The Planning Policy team had carried a number of vacancies arising from two recent retirements, as well as the previous Planning Policy Manager leaving for a new position in March 2019. A further neighbourhood plans were being supported at this time and implementation of the Community Infrastructure Levy and Brownfield Registered required resourcing.

54. Policy for Commercial Use of the Highway

Consideration was given to the Report of the Head of Economic Prosperity (Item 9.1 – 9.15 of the Official Minutes of the Council).

A Member raised that under the existing Policy the Council was able to monitor whether businesses had Public Liability Insurance in place. The concern being that should the Policy be rescinded, it would not be possible to continue this monitoring, therefore could businesses be requested instead to display that they had such insurance in place. The Health and Wellbeing Portfolio Leader replied that the Council would not be able to enforce this if the Policy was rescinded, as businesses were only legally required to display that they had Employers Liability Insurance in place. The Managing Director further replied that if the Policy was rescinded, Council Officers would not be checking if businesses had Public Liability Insurance in place as they would have no jurisdiction to do so.

RESOLVED:

That:

- (A) The issues outlined in the report be noted.
- (B) Council, at its meeting to be held on 6 November 2019 be recommended to agree that:
 - (i) The 'Commercial Use of the Highway' Policy be rescinded, a Charter be created and CCDC branded guidelines be issued to businesses.
 - (ii) Officers be asked to explore how Disclosure and Barring Service (DBS) checks could still be retained for operators of fairground rides etc.
 - (iii) All business owners/operators who had paid out any required fees/charges since the Policy was introduced be fully reimbursed what they had paid.
- (C) The implications of decision (B), above, be noted.

Reason for Decisions

The decisions gave Cabinet the opportunity to determine the scope and application of this Policy following a review.

55. Housing Services 2018/19 Annual Report

Consideration was given to the Report of the Head of Housing and Partnerships (Item 10.1 – 10.16 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The draft 2018-19 Housing Services Annual Report (attached as Appendix 1 to the report) be agreed for circulation to all the Council's tenants.
- (B) If required, the Head of Housing and Partnerships, following consultation with the Housing Portfolio Leader, be authorised to make amendments to the draft 2018-19 Housing Services Annual Report, prior to circulation.

Reasons for Decisions

The Council was required to publish the 2018-19 Annual Housing Report as set out in the Regulatory Standards by the Regulator of Social Housing.

The Annual Report must be circulated to all tenants and this would be achieved as part of the autumn edition of 'Hometalk' magazine.

56. Homelessness Reduction Act 2017 – Call for Evidence

Consideration was given to the Report of the Head of Housing and Partnerships (Item 11.1 – 11.35 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The response to the Ministry of Housing, Communities & Local Government consultation questions regarding the 'Homelessness Reduction Act 2017 Call for Evidence', as set out in Appendix 2 to the report, and agreed by the Housing Portfolio Leader, be noted and endorsed.
- (B) As the Council needed to submit its consultation paper response by 15 October 2019, call-in procedures in relation to decision (A) do not apply.
- (C) If required, the Head of Housing and Partnerships, following consultation with the Housing Portfolio Leader, be given retrospective authorisation to make amendments to the Consultation Document response prior to submission on 15 October 2019.

Reasons for Decisions

A response to the consultation questions was submitted to the Ministry of Housing, Communities and Local Government following consultation with the Housing Portfolio Leader, and was attached as Appendix 2 to the report. Views on the consultation paper needed to be received by 15 October 2019, and as a result, it was proposed that call-in procedures in relation to this did not apply.

57. A New Deal for Renting – Consultation Response

Consideration was given to the Report of the Head of Housing and Partnerships (Item 12.1 – 12.95 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The response to the Ministry of Housing, Communities & Local Government consultation questions regarding the ‘A New Deal for Renting’ consultation, as set out in Appendix 2 to the report, and agreed by the Housing Portfolio Leader, be noted and endorsed.
- (B) As the Council needed to submit its consultation paper response by 12 October 2019, call-in procedures in relation to decision (A) do not apply.
- (C) If required, the Head of Housing and Partnerships, following consultation with the Housing Portfolio Leader, be given retrospective authorisation to make amendments to the Consultation Document response prior to submission on 12 October 2019.

Reasons for Decisions

A response to the consultation questions was submitted to the Ministry of Housing, Communities and Local Government following consultation with the Housing Portfolio Leader, and was attached as Appendix 2 to the report. Views on the consultation paper needed to be received by 12 October 2019, and as a result, it was proposed that call-in procedures in relation to this did not apply.

It was also noted that only relevant questions in the Council’s role as a housing authority discharging its homelessness duty were completed.

58. Revenues and Benefits Collection Report – Quarter 1

Consideration was given to the Report of the Head of Finance (Item 13.1 – 13.16 of the Official Minutes of the Council).

The Health and Wellbeing Portfolio Leader advised that further to the collection rates data detailed in section 4 of the report, at the end of September 2019, 55.1% of Council Tax and 54.8% of Business Rates due for the current year had been collected. Officers were thanked for their hard work in achieving over 50% collection rates by the halfway point in the year. The Leader also thanked Officers for working hard to improve collection rates year-on-year.

RESOLVED:

That:

- (A) The information regarding collections be noted.
- (B) The arrears listed in the confidential appendices be written off.

Reasons for Decisions

Efficient collection of the Council’s revenues was of major importance to the funding of Council services and those provided by our preceptors.

Council Tax due for the current year amounted to £52.4m, of which, some 28.3% was collected by the end of June 2019.

Business Rates due for the current year amounted to £33.5m, of which, some 26.3% was collected by the end of June 2019.

Whilst the Council's collection rates were good, regrettably not all of the monies owed to the Council could be collected, and the report contained a recommendation to write-off bad debts that could not be recovered.

59. 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 and 2, Part 1, Schedule 12A of the Local Government Act 1972 (as amended).

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PART 2

60. Former Tenant Arrears Debt Recommended for Write-Off

Consideration was given to the Not for Publication Report of the Head of Housing and Partnerships (Item 15.1 – 15.6 of the Official Minutes of the Council).

RESOLVED:

That the former tenant arrears as detailed in Appendix 1 of the not for publication report be approved for write-off.

Reason for Decision

There was no reasonable prospect of the Council recovering the debts at present and meet one of the specified criteria for write-off.

The meeting closed at 4:33 p.m.

LEADER