

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

**HELD ON THURSDAY, 18 DECEMBER, 2014 AT 4:00 P.M.**

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

**PART 1**

PRESENT: Councillors:

Adamson, G.	Leader of the Council
Holder, M.J.	Deputy Leader and Crime and Partnerships Portfolio Leader
Lovell, A.	Corporate Improvement 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

**87. Apologies**

Apologies were received from Councillor Mrs. C. Mitchell, Culture & Sport Portfolio Leader; and the Leader advised that Councillor A. Lovell, Corporate Improvement Portfolio Leader was delayed and would join the meeting later.

**88. 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.

**89. Updates from Portfolio Leaders**

**Leader**

Provisional Local Government Settlement, 2015-16 – The Leader reported that the Government had, that day, released the provisional settlement figures for 2015-16. Disappointingly, the Council once again faced a significant cut, in particular when compared to other Staffordshire authorities and the County Council. This amounted to a 6.1% cut in “spending power”, which equated to 16% overall in terms of reduced funding, or £907K in monetary terms. Locally, only Tamworth was worse off at 6.4%. Members were critical of the Government’s cynical attitude in this regard, that would see the cuts having to be

delivered regardless of which political Party was in the majority following the UK Parliamentary General Election in May, 2015.

The Head of Finance noted that, thankfully, the Council had planned for cuts on the proposed scale and it would be able to deliver a balanced budget; however, things were going to be more difficult going forward if the trend for reduced settlements continued.

Sport England Improvement Fund Allocation – The Leader advised that the Council had been invited to apply for funding to support the proposed Artificial Grass Pitch development at Bradbury Lane, Hednesford. An expression of interest application had been submitted for around £390K and the project was one of 27 out of the total 187 expressions of interest to be progressed to the next stage, which involved a more detailed application being submitted by 26 January, 2015, with confirmation expected by the end of February.

Stadium Site – The planning application for the site was approved on 17 December, 2014, and two tenders for two play areas were in the evaluation process, with a view to starting on site in March, 2015.

Stile Cop Cemetery Extension – Works on site were scheduled to start in early January, 2015. These would include widening the existing entrance to enable two-way traffic; installation of new gates; additional access roads and paths to access the new burial areas. There would also be additional water points; a new site compound and storage area; and additional car parking and resurfacing of the original car park.

Andrew Tennant – The Leader also asked the Head of Housing and Waste Management to forward Cabinet's congratulations to his son, Andrew, who had been part of the gold medal winning Team Pursuit team at the UCI Track Cycling World Cup in London.

### **Crime and Partnerships**

Safer Neighbourhood Panels - The Portfolio Leader reported that further to his previous update in respect of the Staffordshire Police and Crime Commissioner seeking to establish Safer Neighbourhood Panels, he was pleased to advise that Cannock Chase Council had been selected to be one of the pilot areas.

### **Economic Development and Planning**

Unemployment - The Portfolio Leader advised that jobless figures published earlier that day indicated that there had been a drop in local unemployment. However, while it was pleasing to note the headline figure, he urged caution that there was no analysis available at that time to indicate if this was due to permanent employment and whether or not these were full time or part time positions, or if it was as a result of temporary / seasonal jobs.

### **Environment**

Spit Stop Campaign - The Portfolio Leader reported that the campaign was making excellent progress. Officers were undertaking educational visits to local schools, and agreement had been reached with local doctors' surgeries in Rugeley to display posters and notices.

### **Town Centre Regeneration**

Christmas Card Competition - The Portfolio Leader reported that a presentation

had been held in the Council Chamber on Tuesday, 16 December to announce the winners in the various categories, with gift voucher prizes donated by Bescot Promotions. There had been a high turnout and the entries were of a very high standard.

Mill Street Underpass – The Portfolio Leader advised that consultation on the makeover of the underpass remained open until 7 January, 2015.

**90. Minutes of Cabinet Meeting of 23 October, 2014**

RESOLVED:

That the Minutes of the meeting held on 23 October, 2014 be approved as a correct record and signed.

**91. Forward Plan**

The Forward Plan of Decisions for the period December, 2014 to February, 2015 (Item 5.1 of the Official Minutes of the Council) was considered.

RESOLVED:

That the Forward Plan of Decisions for the period December, 2014 to February, 2015 be noted.

**92. 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) Economic Development and Planning – 2 October, 2014

(Minute 12) Response to Youth Unemployment / Update from Job Centre Plus – The Portfolio Leader advised that Tina Evans had moved to a job in another office, and that the information she had promised was being followed up with other Officers of Job Centre Plus.

- (ii) Environment – 21 October, 2014

- (iii) Health and Wellbeing – 11 November, 2014

**Recommendation from the Scrutiny Committee of 27 November, 2014 in respect of:**

Consideration was given to the recommendation received from the Scrutiny Committee of 27 November, 2014 in respect of:

Quarter 2 Performance Report 2014-15

In consideration of the above, it was resolved that:

“(F) Cabinet, at its meeting to be held on 18 December, 2014, be requested to outline its proposals for future use of the Ballroom and/or what is already being done.”

The Leader advised that the situation was somewhat fluid at that stage, but it was anticipated that matters may be nearer to a resolution by the time of the next Scrutiny meeting and a report would be taken back to it at that stage.

RESOLVED:

That an update report outlining any accommodation proposals in respect of the Ballroom be taken to the next meeting of the Scrutiny Committee on 12 February, 2015.

### **93. Review of Allocations Policy**

Consideration was given to the Report of the Head of Housing and Waste Management (Item 7.1 – 7.32 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The proposed amendments to the Council's Allocations Policy as incorporated within the revised policy document attached as Appendix 1 to the report, be agreed and implemented from 5 January 2015.
- (B) A further review of the Council's Allocations Policy be undertaken, following the receipt of revised Social Housing Allocations Regulations and Statutory Guidance in relation to the Right to Move.

#### Reasons for Decisions

The report addressed a number of issues in relation to the Council's Allocation Policy in respect of:

- (i) The allocation of bungalows at the Highfields "sheltered housing scheme"
- (ii) The review of medical and social need priorities.
- (iii) Letting less popular dwellings.
- (iv) The provision of photographic identity.

Suggested policy changes to address the issues had been incorporated within the amended Allocations Policy, which it was proposed should be agreed and implemented from 5 January 2015.

The Government also intended to amend the Social Housing Regulations and Statutory Guidance to introduce a "Right to Move". Subject to enactment, a further Allocations Policy review would be required to address the issue.

### **94. Future Use of Garage Sites**

Consideration was given to the Report of the Head of Housing and Waste Management (Item 8.1 – 8.12 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The tenancies of the occupied garages on the following garage sites, as indicated on Appendices 1 – 5 to the report) be terminated with existing garage tenants given priority for the allocation of a garage on an alternative site:
- (i) Wood View, Ravenhill.
  - (ii) George Brearley Close, Rugeley.
  - (iii) Surrey Close / Warwick Close, Rumer Hill.
  - (iv) Various small sites in the Melbourne Road / Hobart Road area, Heath Hayes.
  - (v) Cannock Wood Street, Cannock Wood.
- (B) The garages on the sites identified in (A), above, be demolished.
- (C) The following sites be retained for the construction of additional Council dwellings as part of a future potential extension of the Council's new build programme.
- (i) Wood View, Ravenhill.
  - (ii) George Brearley Close, Rugeley.
  - (iii) Surrey Close / Warwick Close, Rumer Hill.
  - (iv) Cannock Wood Street, Cannock Wood.
- (D) The sites in the Melbourne Road / Hobart Road area identified on Appendix 4 to the report are used for car parking by residents.

#### Reasons for Decisions

Garage occupancy on 4 garage sites was below 50% and in accordance with the Council's policy it was proposed that they be closed:-

- (i) Wood View, Ravenhill
- (ii) George Brearley Close, Rugeley
- (iii) Surrey Close / Warwick Close, Rumer Hill
- (iv) Various small sites in the Melbourne Road / Hobart Road area, Heath Hayes

A further site at Cannock Wood Street required major repair work at an estimated cost of £45,000. Although, 16 of the 18 garages were occupied there was no specific budget to fund the required work and, whilst a budget could be estimated, this was not considered to be the best use of HRA resources. It was, therefore, suggested that the garage site should also be closed. Following closure, it was proposed that the existing garages should be demolished.

A number of the garage sites recommended for closure had potential for residential development and it was, therefore, suggested that they should be retained for future potential extensions to the Council's new build programme.

The sites in the Melbourne Road / Hobart Road area were not suitable for residential development and it was suggested that these should be used for residents parking.

## **95. Waste Collection Service**

Consideration was given to the Report of the Head of Housing and Waste Management (Item 9.1 – 9.7 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The Council's Waste Collection Service be subject to an OJEU compliant procurement exercise to secure a single contract for the delivery of all waste collection services, with effect from 1 April, 2016.
- (B) An "in-house bid" be submitted for the proposed single contract.
- (C) The outline project plan and timetable (attached as Appendix 1 to the report), and the arrangements for undertaking the procurement exercise and "in-house bid" be noted.
- (D) A further report be received on the proposed specification for the future delivery of the waste collection service following an evaluation of "Technically, Economically and Environmentally Practicable" (TEEP) recycling.

### Reason for Decisions

Following clarification of a number of the uncertainties which could impact on the future delivery of the Council's waste collection services it had become possible to determine the future delivery of the Council's waste collection service, taking into account:

- (i) The severe budgetary pressures faced by the Council's General Fund.
- (ii) The risk of challenge if the current dry recyclables contract were to be extended for a further period.

In order to ensure that the requirements were met it was considered that there was only one possible course of action, i.e. for the Council's waste collection service to be subject to an OJEU compliant procurement process, to secure a single contract for the delivery of all waste collection services with effect from 1 April, 2016. It was also proposed that an "in-house bid" should be submitted for the proposed single contract.

An outline project plan and timetable for the proposed procurement exercise was attached as an Appendix to the report. The first stage in the process was to determine a specification for future service delivery and this together with the Council's TEEP evaluation would be the subject of a further report.

The submission of an "in-house bid" would necessitate the adoption of formal arrangements to ensure the appropriate separation of duties during the procurement process. These, together with the arrangements for the submission

of the “in-house bid”, were outlined in the body of the report.

**96. 2 Calving Hill, Cannock**

Consideration was given to the Report of the Head of Housing and Waste Management (Item 10.1 –10.5 of the Official Minutes of the Council).

RESOLVED:

That an open market disposal of the freehold interest in 2 Calving Hill, Cannock be authorised on terms and conditions to be agreed by the Head of Economic Development.

Reasons for Decisions

The property was a Council owned single storey retail unit located in a residential area just outside of Cannock Town Centre. The Council had previously leased the property to commercial tenants with the rental income paid to the HRA account. In 1998 the Council’s Policy Committee resolved to dispose of the freehold interest to the existing tenants as part of a wider policy to dispose of isolated shop units within the District. However, the parties were unable to agree terms and the property remained within the ownership of the Council.

The most recent lease of the property expired on 21 October, 2014 and the tenant decided not to renew her lease. The Council was, therefore, in vacant possession of the property. The shop is an isolated unit in a residential area, which was too far from Cannock Town Centre for a re-letting to offer real benefit in terms of Town Centre regeneration. A disposal of the freehold interest would generate a capital receipt that could be used to support the Council’s HRA Capital Programme.

The principle of a disposal of the freehold interest is already established by the Policy Committee’s previous decision on 15 October 1998.

Councillor A. Lovell joined the meeting at this point.

**97. Anti Social Behaviour, Crime and Policing Act, 2014**

Consideration was given to the Joint Report of the Chief Executive, Head of Housing and Waste Management and Head of Environmental Health (Item 11.1 – 11.13 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The delegations set out in Appendix 1 to the report be authorised in order that certain provisions of the Anti Social Behaviour, Crime and Policing Act, 2014 may be implemented.
- (B) The single Fixed Penalty Notice fee of £100 be agreed.
- (C) The extended application of the Dangerous Dogs Act, 1991 be noted.
- (D) The following community trigger threshold for the District be agreed:

“Three qualifying complaints to a statutory agency within a six month period, with the last incident being no longer than one month prior to the Trigger being requested”.

#### Reason for Decisions

The Anti Social Behaviour, Crime and Policing Act received Royal Assent in March 2014 and much of the Act came into force on 20 October, 2014. The Act replaced previous anti social behaviour legislation and places new duties on Local Authorities. Parts 1-7 of the Act contained particular implications for Local Authorities, as summarised in Section 5 of the report.

In order to implement certain provisions of the Act, the Scheme of Delegations needed amending to ensure that appropriate officers had the required authority to exercise its powers, as detailed in Appendix 1 to the report.

The Act enabled a Fixed Penalty Notice (FPN) to be issued for offences involving a breach of a Community Protection Notice or a Public Spaces Protection Order in order to discharge a liability to conviction, with a maximum penalty of £100 to be paid within 14 days of service of the FPN.

Although a lesser penalty could be imposed for early payment, in order to avoid confusion and associated additional administrative burden, a single Fixed Penalty fee of £100 was proposed with no discount for early payment

Part 6 of the Act also placed a statutory duty on relevant bodies, including Local Authorities, to agree a threshold, criteria and mechanism for implementing a “Community Trigger”, a mechanism for victims of persistent anti social behaviour to formally request a multi-agency case review.

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



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**HELD ON THURSDAY, 18 DECEMBER, 2014 AT 4:00 P.M.**

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

**PART 2**

**99. Bow Street, Rugeley**

Consideration was given to the Not for Publication Report of the Corporate Director (Item 13.1 – 13.5 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The Council should grant a lease on favourable terms to the Royal Air Force Air Training Corps (ATC) 1871 (Rugeley) Squadron Rugeley (MoD) to support the activities of the ATC.
- (B) Authority be delegated to the Corporate Director to agree terms and conditions and all other actions required to implement the grant of the lease to the ATC.

Reasons for Decisions

The Council owned site in Bow Street was leased to the Bow Street Playgroup. Unfortunately, the building burnt down some years ago and the site had been derelict ever since.

The site was next to a building used by the RAF Air Cadets and there has been informal use of the site agreed with the Council so that drill and other activities could take place. A further request had been received from an Officer of the 1871(Rugeley) Air Cadets for the Council to enter into a lease for the site so that improvements could be made to the site allowing it to be more fully utilised by cadets.

The report identified two options for consideration: either that a lease be granted to RAF Air Training Corps/ Army Cadets (subject to the Air and Army cadets obtaining appropriate planning permission) on favourable terms as the Council wished to support the work of the Air and Army cadets in the Rugeley community or disposal of the freehold interest for a high quality residential/commercial scheme to achieve a capital receipt.

The Bow Street site was not allocated for any particular use in the Local Plan and Planning Services had no objection to lease the site to the ATC subject to the grant of appropriate planning permission.

On the basis that the Council wished to support the activities of the ATC, a lease of sufficient length could be granted to the Rugeley Air Training Corps on favourable (non-commercial) terms for the Bow Street site. The details of

the lease will need to be negotiated, but the site would remain in Council ownership.

#### **100. Purchase of New Cemetery Site**

Consideration was given to the Not for Publication Report of the Corporate Director (Item 14.1 – 14.6 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The purchase of the ex-Bleak House Colliery site at an agreed value of £500,000 for use as a new cemetery for the Southern part of Cannock Chase District be approved subject to planning consent being granted.
- (B) A further report be received on the capital costs of bringing the site into use and any potential revenue implications.

#### Reasons for Decisions

Cannock Chase Council had been searching for many years to establish a new cemetery that would serve the burial requirements of the Southern part of the District. Cannock cemetery was closed to new burials in April, 2006. £1.5m had been allocated in the General Fund Capital Programme for this purpose for many years.

Numerous sites had been investigated over many years, but found to be unsuitable. In the meantime, Cabinet had taken decisions in the last Budget to extend Stile Cop Cemetery in Rugeley and action was now in hand to bring into use further sections of the site for burial.

Part of the Bleak House surface mining site on the south side of Cannock Road (A5190), Heath Hayes had been under investigation for some time to determine its suitability as a cemetery site. Tier One and Tier Two testing had been conducted and various technical appraisals of the site had been produced. Subject to certain mitigations, the site appeared to be suitable for use as a cemetery but planning consent for this use had yet to be secured.

The site was owned by Harworth Estates, a commercial property and regeneration developer. Agreement had been reached on the value of the land based on its use as a cemetery site only.

Approval was, therefore, sought to purchase the 47 acre site subject to the granting of planning consent. A planning application with supporting documentation had been developed and submitted by Council officers and a decision was awaited.

The meeting closed at 4:40p.m.

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LEADER