

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
CABINET

HELD ON THURSDAY, 21 APRIL, 2016 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
Mitchell, Mrs. C.	Culture and Sport Portfolio Leader
Dudson, A.	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

105. Apologies

None.

106. 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>
-	-	-

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

107. Updates from Portfolio Leaders

None.

108. Minutes of Cabinet Meeting of 24 March, 2016

RESOLVED:

That the Minutes of the meeting held on 24 March, 2016, be approved as a correct record and signed.

109. Forward Plan

The Forward Plan of Decisions for the period April to June, 2016 (Item 5.1 – 5.2 of the Official Minutes of the Council) was considered.

RESOLVED:

That the Forward Plan of Decisions for the period April to June, 2016 be noted.

110. Recommendations of Scrutiny Committees

None received.

111. Risk Management Policy & Strategy

Consideration was given to the Report of the Head of Governance (Item 7.1 – 7.17 of the Official Minutes of the Council).

RESOLVED:

That:

(A) The Council's risk appetite be agreed.

(B) The Risk Management Policy and Strategy be approved.

Reasons for Decisions

The Accounts & Audit Regulations 2015 state that:

“The relevant body is responsible for ensuring that the financial management of the body is adequate and effective and that the body has a sound system of internal control which facilitates the effective exercise of that body's functions and which includes arrangements for the management of risk.”

The effective management of risks required a policy and strategy which has been approved by, and has clear support of, leading members and senior officers.

112. Local Plan (Part 1) Authority Monitoring Report

Consideration was given to the Report of the Head of Economic Development (Item 8.1 – 8.62 of the Official Minutes of the Council).

The Health and Wellbeing Portfolio Leader recommended that the outcomes 'improved health/longevity of residents' and 'reduce health inequalities gap' which were both rated in the monitoring report as not being achieved, be put forward for inclusion as part of the Health Scrutiny Committee's work programme for the 2016/17 municipal year.

RESOLVED:

That:

(A) Publication of the Cannock Chase Authority Monitoring Report (AMR) 2014-15 be approved.

(B) The Head of Economic Development, in consultation with the Economic Development and Planning Portfolio Leader, be authorised to approve the publication of future Cannock Chase AMRs, including minor revisions to

the format and content of the AMR as required.

Reasons for Decisions

Cannock Chase Council was required to publish monitoring information under the Planning and Compulsory Purchase Act (2004), as amended via the Localism Act (2011). A key role of the Authority Monitoring Report (AMR) was to monitor the implementation and performance of local planning policy against its objectives. It demonstrated through the use of indicators, the degree to which policies were being successfully implemented. It also formed an important part of the Local Plan evidence base and helped identify the need to bring forward new or amended policies or to produce a Development Plan Document.

The AMR provided a 'snapshot picture' of progress made in implementing the Local Plan policies and proposals. The AMR also informed progress made in production of the Cannock Chase Local Plan documents, including Neighbourhood Plans and Supplementary Planning Documents. As per the new legislative requirements it also reported on the Council's activities under the Duty to Co-operate and monitoring of the Community Infrastructure Levy.

The Council had produced monitoring reports on the Local Plan for a number of years, dating back to 1997 when the previous Local Plan was adopted. Since then annual reports have been produced and made available publicly. Prior to the Localism Act 2011 the Council was also required to submit its annual monitoring reports to Government Office. Under previous delegated powers (approved via Cabinet report 22.01.2009) this publication and submission was approved by the Deputy Chief Executive, in consultation with the relevant Portfolio Leader.

A change in the management structure of the Council since then has required a revision of the publication process for the AMR. Whilst the Council no longer had to submit its AMR to Government, it still had a statutory duty to make monitoring information publicly available on a yearly basis as a minimum. As this was the first AMR for the recently adopted new Local Plan (Part 1) 2014, it also set a new format for the document and monitored a different series of outcomes, using different indicators to the old 1997 Local Plan AMRs. It also incorporated the new legislative requirements to report on specific topics.

113. Establishment of a Property Partnership

Consideration was given to the Report of the Head of Economic Development (Item 9.1 – 9.11 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The creation of a limited liability partnership (LLP) between the Council and Public Sector Plc Facilitating Limited (PSP) be approved.
- (B) The final terms of the necessary agreements be agreed by the Council Solicitor and the Head of Economic Development in consultation with the Portfolio Leader for Corporate Improvement, provided that all due diligence checks have been carried out successfully.
- (C) It be noted that the LLP requires the establishment of an LLP Members Board with equal Council and private sector representation, supported by

an Operations Board for Officers.

- (D) The Council representation on these Boards be agreed by the Council Solicitor following consultation with the Portfolio Leader for Corporate Improvement once the format of these Boards has been established as part of the final terms of the agreement; and that the Council representation on the LLP Board will be from members of the Cabinet.
- (E) All projects be assessed by an internal Council team before going forward to the LLP to decide on their suitability for further development.
- (F) It be noted that the LLP will be an additional option for the Council to use to deal with its property portfolio.
- (G) It be noted that further reports will be submitted to Cabinet in respect of relevant proposals to pursue a property related project through the LLP.

Reasons for Decisions

The Council had been invited to express an interest in the establishment of a joint venture Limited Liability Partnership (LLP) with a private sector partner, Public Sector Plc Ltd (PSP). PSP was a joint venture formed in 2007 between the Winston and William Pears Groups (first called BVSF). In its first phase of development PSP secured partnerships with 10 local authorities including Dudley MBC. The Council investigated the feasibility and value of establishing an LLP joint venture with PSP, and they in turned carried out a review of property opportunities with the Council. On this basis both parties believed there to be benefit in forming an LLP.

The purpose of the LLP would be to facilitate property related projects for the Council, making use of private sector funding, resources and skills in addition to those available through the Council and paid for by the LLP. The Council will be able to use the Strategic Partnership created to a achieve wide-range of property opportunities for the Council, including regeneration, redevelopment, rationalisation, property portfolio reductions and property related investment.

The Council and PSP would each own 50% of the shares of the LLP whose main purpose would be to:-

- Invest private sector funds in projects of mutual benefit;
- Facilitate regeneration projects;
- Provide potential capital receipts and/or revenue income streams to the Council from the development of surplus land and buildings;
- Support the Council in the development of its strategic review of the property portfolio, including:-
 - The delivery of a property portfolio strategy for the Council involving, where appropriate, a partnership approach to the management of the Council's property assets;
 - The acquisition of private property or land by PSP to facilitate development and potentially to develop income streams.

Projects were developed by the LLP using PSP resources, but the final decision as to whether or not to proceed with a project would sit with the Council. The profit share on each project would vary depending on the resources committed to the project and PSP guarantee at least the income currently derived from an

asset, with the profit share element relating only to amount above this level. The option might also be available to the Council to put additional resources into a project in order to achieve a larger percentage of the profit share.

In order to ensure that the land and property portfolio of the Council was maximised into the future, there needed to be a review of these assets. The utilisation of an LLP model and approach would facilitate this and allow the Council a large amount of flexibility to be able to manage the portfolio differently into the future.

The LLP between PSP and the Council was an additional option for maximising the value from property assets and did not remove the Council's ability to consider alternatives.

The meeting closed at 4:17 p.m.

LEADER