

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
CABINET

HELD ON THURSDAY 23 AUGUST 2018 AT 4:00 P.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT: Councillors:

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
Martin, Mrs. C.E.	Health and Wellbeing Portfolio Leader
Pearson, A.R.	Housing Portfolio Leader
Todd, Mrs. D.M.	Town Centre Regeneration Portfolio Leader

Councillors P. Snape, Leader of the Opposition and Conservative Group Leader, and P. Woodhead, Green Party Group Leader, were also present for the duration of the meeting.

33. Apologies

Apologies for absence were submitted for Councillor G. Adamson, Leader of the Council.

In the Leader's absence the meeting was chaired by the Deputy Leader.

34. 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.

35. Updates from Portfolio Leaders

Culture and Sport

Official Opening of Former Stadium Site

The Portfolio Leader reminded Members that the official opening would take place at 2.00 p.m. on Wednesday, 19 September, 2018. All Members should have received an invitation to attend.

36. Minutes of Cabinet Meeting of 12 July, 2018

RESOLVED:

That the Minutes of the meeting held on 12 July, 2018, be approved as a correct record and signed.

37. Forward Plan

The Forward Plan of Decisions for the period August to October, 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 August to October, 2018 be noted.

38. Motion Referred from Council

Consideration was given to the following Motion submitted by Councillor Ms. C.L. Wilkinson to Council on 25 July, 2018, which was referred to Cabinet for determination:

Goldfish

“We all enjoy a visit to the fair, the circus or one of the many other festivals or events held across our district. Whilst we enjoy it, animals should not suffer. Over the past few months a couple of issues have arisen in neighbouring Council areas where Goldfish are being offered as prizes in fairground games and I have been contacted by several residents concerned about this cruel and outdated practice.

Giving live animals as prizes is not against the law, unless they are giving them away to unaccompanied children:

The Animal Welfare Act 2006 in England and Wales makes it an offence to give away an animal as a prize if the person can reasonably be believed to be under 16 and is not accompanied by an adult (there are some exceptions in sections 11(3)-(6) of the Act). This is not the case in Scotland, where under the Animal Health and Welfare (Scotland) Act 2006, it is an offence to offer or give an animal to another person as a prize (whatever their age), except where it is offered in a family context.

This is not something that has been observed in our District and we note that the District Council has existing policies regarding not allowing animals performing as part of a circus. Addressing this with a positive policy statement will reinforce the Councils’ and the residents’ strong commitments to the rights of animals.

Instruct the Managing Director to ask staff to draw up a suitable policy statement to prohibit the offer of live animals as prizes at any fair, circus, festival or event held on (i) land owned by the District Council (ii) supported by the District Council in any way or (iii) licensed by the District Council.”

The Health and Wellbeing Portfolio Leader provided the following response to the Motion:

“I am proud to say the Council has, since 1992, prohibited circuses with performing animals and, indeed, any use of animals for entertainment purposes,

on Council land.

The Council's original policy statement, approved in 1992, reads '...as a matter of policy, the hiring of Council land shall not be used for the purposes of animals for entertainment.'

For the avoidance of doubt, and to reinforce the Council's commitment to animal welfare, I recommend that Cabinet approves a revision to the original policy statement as follows:

"Notwithstanding the provisions of the Animal Welfare Act 2006, Council Policy is that the use of animals for entertainment purposes, including the offering of live animals, such as fish, as prizes (irrespective of the age of the recipient) will not be permitted on Council land. Similarly, where the Council lends support to, facilitates, or endorses, events, this shall be conditional upon there being no use of animals for entertainment purposes as described above.

Provided that this Policy shall not prohibit events such as properly organised and supervised dog agility shows, or similar exhibition type events, for which prior consent will be required."

I hope Cabinet will agree the recommendation."

RESOLVED:

That the Council's policy statement, as agreed on 30 January, 1992, be amended to include the following wording:

"Notwithstanding the provisions of the Animal Welfare Act 2006, Council Policy is that the use of animals for entertainment purposes, including the offering of live animals, such as fish, as prizes (irrespective of the age of the recipient) will not be permitted on Council land. Similarly, where the Council lends support to, facilitates, or endorses, events, this shall be conditional upon there being no use of animals for entertainment purposes as described above.

Provided that this Policy shall not prohibit events such as properly organised and supervised dog agility shows, or similar exhibition type events, for which prior consent will be required."

39. Recommendations from Scrutiny Committees

Consideration was given to the following recommendation from the Wellbeing Scrutiny Committee made at its meeting held on 3 July, 2018:

Task and Finish Group – Impact of Hot Food Takeaways (Draft Minute No. 6)

"That Cabinet instructs Officers to write to the Secretary of State for Health & Social Care and the Secretary of State for Housing, Communities and Local Government expressing concern over the lack of powers available to local authorities to control the local health impact of take away premises. In particular, powers to control total numbers, locations and 'clustering' of outlets selling cheap, unhealthy food; powers to limit local advertising and promotion of unhealthy foods; powers to require clearer consumer information on the salt, fat and sugar content of take away meals."

RESOLVED:

That Officers write to the Secretary of State for Health & Social Care and the Secretary of State for Housing, Communities and Local Government expressing

concern over the lack of powers available to local authorities to control the local health impact of take away premises. In particular, powers to control total numbers, locations and 'clustering' of outlets selling cheap, unhealthy food; powers to limit local advertising and promotion of unhealthy foods; powers to require clearer consumer information on the salt, fat and sugar content of take away meals.

40. Annual Report 2017/18

Consideration was given to the Report of the Head of Governance and Corporate Services (Item 8.1 – 8.19 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The information and achievements as detailed in the Annual Report 2017/18 be noted.
- (B) The Annual Report 2017/18 be approved for publication on the Council's website.

Reasons for Decisions

The Annual Report 2017/18 presented a summary of the major events and developments in Cannock Chase during the year. As such, it provided a user friendly digest of key information to be presented to the Council's residents, partners and communities.

41. Final Accounts 2017/18

Consideration was given to the Report of the Head of Finance (Item 9.1 – 9.32 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The final accounts position for the year ending 31 March, 2018, be noted.
- (B) The financing of the capital programme as outlined in the report be approved.

Reasons for Decisions

The overall revenue account position showed net expenditure reducing by £134,000 when compared with the budget agreed by Council. The overall impact after taking into account changes in financing was an increase in transfer to balances of £470,000.

The portfolio outturn for 2017/18 showed a favourable variance of £145,000 consisting of a number of minor variations.

Income from the Business Rates Retention Scheme was £310,000 higher than anticipated following a reduction in the provision made for appeals.

Council Tax collection rates continued to improve and combined with additional properties, a further surplus of £100,000 had occurred for the Council and in accordance with regulations would be included in the 2019/20 Budget.

42. Housing Revenue Account – Final Accounts 2017/18

Consideration was given to the Joint Report of the Head of Finance and the Head of Housing and Partnerships (Item 10.1 – 10.7 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The final accounts position of the Housing Revenue Account for the year ending 31 March, 2018, be noted.
- (B) The financing of the capital programme as outlined in the report be approved.

Reasons for Decisions

The overall revenue account position showed net expenditure reduced by £0.099 million when compared with the budget agreed by Council.

Income at 31 March, 2018, was £19.914 million, broadly in line with the revised budget position of £19.895 million reported to Cabinet in January 2018.

Expenditure at 31 March, 2018, was £19.956 million, compared to the revised budget position of £20.035 million reported to Cabinet in January 2018. The £0.080 million decrease in expenditure related primarily to savings in supervision and management, and repairs and maintenance.

The final accounts therefore showed a use of working balances of £0.041 million compared with a planned use of £0.140 million, a reduction of £0.099 million.

Working balances at 31 March, 2018 were now £1.739 million compared to the £1.640 million reported to Cabinet in January 2018.

The report set out the capital outturn of £10.039 million compared to a budget of £10.635 million, a reduction of £0.596 million. Details of financing for the current year and resources available were also included.

43. Quarter 1 Performance Report 2018/19

Consideration was given to the Report of the Head of Governance and Corporate Services (item 11.1 – 11.31 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The performance information related to the Priority Delivery Plans (PDPs) as detailed in appendices 1 to 4 of the report be noted.
- (B) The actions that have been flagged as requiring amendment to the timescale, scope or timeline be noted.

Reasons for Decisions

Information for performance indicators for Quarter 1 2018/19 was included for relevant items in appendices 1 to 4 of the report.

The overall rankings for each portfolio area were detailed in section 5 of the report, indicating that 92% of actions/projects had been achieved, or were on

target to be achieved.

44. 'Swift' Smart Travel Card

Consideration was given to the Report of the Interim Head of Economic Prosperity (Item 12.1 – 12.6 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) An allocation of £20,000 to secure the implementation of the 'Swift' smart card and associated infrastructure in the Cannock Chase Council area be approved, to allow Swift card readers to be located at strategic locations in the District, at the earliest opportunity.
- (B) The Head of Economic Prosperity, in consultation with the Economic Development and Planning Portfolio Leader, be authorised to work in partnership with Transport for West Midlands (TfWM) to secure the introduction of 'Swift' smart-card readers in the Cannock Chase Council area, in its capacity as a non-constituent member of the West Midlands Combined Authority (WMCA).
- (C) The finalisation of the scheme be delegated to the Head of Economic Prosperity, in consultation with the Economic Development and Planning Portfolio Leader, including the completion of an agreement to secure that the £20,000 be used for the purpose set out in decision (A), above.

Reasons for Decisions

The report sought authorisation to provide funding to allow the installation of Swift smart-card readers at suitable locations across the District, initially likely to be at Cannock and Rugeley bus stations, Hednesford and the Civic Centre, Cannock.

At the West Midlands Combined Authority (WMCA) Board meeting on 9 March, 2018, it was announced that following the successful launch of Swift in Redditch in January 2018, Cannock Chase District was next in line to receive the Swift smart-card. The Council had held discussions with Transport for West Midlands (TfWM) and bus operators to progress the implementation in the District, as detailed in the strategy set out in paragraph 5.5 of the report. The Council had engaged with Staffordshire County Council on this issue, but they had declined to work in partnership on this matter.

Evidence from the WMCA area indicated that the introduction of Swift smart travel cards on bus services would encourage the use of services, which had recently seen cutbacks in the network in both frequency and patronage.

45. Disposal of Stile Cop Cemetery Lodge, Stile Cop Road, Rugeley

Consideration was given to the Report of the Head of Housing and Partnerships (Item 13.1 – 13.5 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) An open market disposal of the freehold interest in Stile Cop Cemetery Lodge, Rugeley, on terms and conditions to be agreed by the Head of

Housing and Partnerships be authorised.

- (B) Authority be delegated to the Head of Housing and Partnerships to instruct agents to market the above property for sale and to take all other actions required to implement the decision.

Reasons for Decisions

Stile Cop Cemetery Lodge was a two-storey residential dwelling attached to a single storey staff area (for use by cemetery operatives), situated at the entrance of Stile Cop Cemetery, Rugeley. Until recently, the property was occupied by a Council employed Sexton on a service tenancy agreement. The Sexton retired at the end of March, 2018 and the Lodge was now vacant.

The Council recently commissioned a condition survey report in respect of the Lodge, which indicated that it required substantial refurbishment to bring it back into a lettable condition. A refurbishment was also recommended for the staff area if it was to remain in the same location.

A disposal of Stile Cop Cemetery Lodge would necessitate relocation of the cemetery operatives' staff area within a purpose built modular building elsewhere within the cemetery site. The new building could also provide a separate room for members of the public to view records etc.

It would also be necessary to fence off the Lodge from the remainder of Stile Cop Cemetery and create a separate access and driveway to the Lodge.

External agents had expressed the view that, subject to the works outlined above being undertaken, Stile Cop Cemetery Lodge would be attractive to potential residential purchasers. The proposed sale of the above property would not only avoid ongoing maintenance and security costs for the Council, but should also generate a substantial capital receipt, the level of which would be determined by market demand.

It was therefore recommended that Stile Cop Cemetery Lodge be declared surplus to Council requirements and offered for sale on the open market.

46. 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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PART 2

47. Options for the Development of a New Cemetery and Crematorium

Consideration was given to the Not for Publication Report of the Head of Environment and Healthy Lifestyles (Item 15.1 –15.18 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) Having considered the options presented in the report, Option 1 be agreed, and the Head of Environment and Healthy Lifestyles be authorised, in consultation with the Culture and Sport Portfolio Leader, to:
 - (i) Submit an outline planning application for a crematorium on the Council's site; and
 - (ii) Commence and undertake the process to identify a partner to deliver the cemetery and crematorium proposal.
- (B) Additional capital resource of £327,000 be earmarked to deliver the cemetery-only proposal if Option 1 cannot be delivered.
- (C) Further reports be received on progress of the above decisions.

Reasons for Decisions

There was a lack of burial space in the southern part of the District. The Council had been searching for many years to establish a new cemetery that would serve the burial requirements of the residents in this part of the District. Cannock cemetery had been closed to new burials since April 2006.

Planning consent for a proposed new cemetery on the Council's preferred site was granted on 28 January, 2015, and the purchase of the 50-acre site was completed on 22 October, 2015. After purchase, there remained a balance of £983,870 in the capital budget to develop a new cemetery.

Based on a revision of the original estimates reported to Cabinet on 25 August, 2016, there was a capital shortfall of circa £327,270 to establish a new cemetery on site as originally proposed, and as such, Cabinet had a number of options available to progress the scheme:

- (1) (a) To submit an outline planning application for a crematorium on the Council's site; and

- (b) To commence and undertake the process to identify a partner to deliver the crematorium proposal.
- (2) Reduce the cemetery scheme to within the current capital budget.
- (3) Provide additional capital to deliver the current scheme if the preferred option cannot be delivered.
- (4) Explore a feasibility study for the provision of a crematorium,

The detail supporting the above options was set out in paragraphs 5.25 to 5.29 of the report.

48. Urgent Repairs – Church Street Ramp, Cannock Town Centre

Consideration was given to the Not for Publication Report of the Head of Housing and Partnerships (Item 16.1 – 16.10 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) Up to £200,000 be allocated from the existing Building Maintenance Reserve to undertake urgent remedial works of the service ramp due to safety concerns and the lease obligations to businesses.
- (B) St. Modwen should not be pursued to contribute to the costs identified in decision (A), above, on the grounds that legal action could be protracted with an uncertain outcome, and would not be in the Council's wider best interest.
- (C) Due to the urgency of the works required, a direct award be made to a contractor to undertake the works via a procurement waiver.
- (D) It be noted that with the agreement of the Group Leaders, the above decisions will be exempt from call-in, as any delay caused in implementing the decisions would seriously prejudice the Council's and the public's interests.

Reasons for Decisions

Issues have been highlighted previously regarding the need for remedial repairs to the MSCP and service ramp. Therefore, the Council sought affirmation from structural engineers as to the current condition and structural capabilities of both assets, i.e. the MSCP and service ramp.

Cabinet at its meeting of 12 July, 2018, agreed to fund remedial repairs to the Multi-Storey Car Park (MSCP) and service ramp. However, this decision was without the benefit of the structural engineers' report that subsequently identified more significant works and / or weight restrictions requirements for users of the service ramp.

A substantial amount of work had been carried out by specialists commissioned over a number years. No report had actually cast doubt over the loading capacity of the service ramp until recently, i.e. August 2018.

It would not possible to permanently close the ramp without alternative

agreements with Leaseholders being agreed, although a temporary closure would need to be put in place to deliver the work needed to repair the ramp.

The meeting closed at 4.40 p.m.

LEADER