

CANNOCK CHASE COUNCIL

MINUTES OF THE MEETING OF THE

CABINET

THURSDAY, 23 JULY 2009 AT 4.30 P.M.

IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT: Councillors

Stanley, N.K.	Leader of the Council
Davies, D.N.	Access to Education, Skills, and Employment Portfolio Leader
Freeman, M. P.	Housing Leader
Grocott, M.R.	Culture, Sport and Services for Children & Young People Leader
Jillings, J.	Safe, Stronger and Cohesive Communities Portfolio Leader
Yates, Ms. W.	Healthier Communities and Older People Portfolio Leader.

By invitation: Councillor Mrs. M. A. Davis on behalf of the Healthier Communities and Older People Policy Development Committee

(An apology for absence was received from Councillor A. Williams, Environmental Sustainability Portfolio Leader)

12. Minutes

RESOLVED:

That the Minutes of the meeting held on 25 June 2009 be approved as a correct record.

13. Responsibilities of Cabinet Portfolio Leaders

The Leader notified the Cabinet of the areas of the responsibility to be covered by each Portfolio Leader.

RESOLVED:

That the areas of responsibility to be covered by each Portfolio Leader be noted and they be incorporated as part of the Council's Constitution.

Reason for the Decision

The allocation of portfolio responsibilities is the responsibility of the Leader of the Council, as required by the Council's Constitution. It identifies those Members who will be responsible for speaking at Council, Cabinet, Committees and other meetings and the remit of their portfolio responsibilities.

14. Forward Plan

Consideration was given to the Forward Plan of Decisions for the period July - November 2009 (Enclosure 5.1 – 5.3 of the Official Minutes of the Council).

RESOLVED:

That the Forward Plan of Decisions for the period July - November 2009 be approved.

15. Part 1 Minutes of Policy Development Committees

RESOLVED:

That the Part 1 Minutes of the following Policy Development Committees be received for information:

- (i) Safe, Strong and Cohesive Communities Policy Development Committee – 8 June 2009
- (ii) Culture, Sport and Services for Children & Young People Policy Development Committee – 10 June 2009
- (iii) Access to Education, Skills and Employment Policy Development Committee – 15 June 2009
- (iv) Healthier Communities & Older People Policy Development Committee – 16 June 2009
- (v) Environment Policy Development Committee – 20 April 2009

(Members noted that the recommendations contained within Minute 29 relating to 'Urban Forestry Strategy' had previously been considered by Cabinet in May 2009).

- (vi) Environment Sustainability Policy Development Committee - 22 June 2009

The Leader of the Council reported that three of the Council's green spaces had recently been awarded Green Flags. Cannock Park, Ravenhill Park in Brereton and Castle Ring in Cannock Wood were found by national judges to be welcoming, safe and well maintained with strong involvement from the local community.

16. Bereavement Services Service Plan

Consideration was given to a report of the Director of Service Improvement (Enclosure 7.1 – 7.7 of the Official Minutes of the Council)

The Healthier Communities and Older People Portfolio Leader moved the following amendment to the recommendation contained within 2.1 of the report in order that the recommendations in the Bereavement Services Plan could be clarified:

"2.1 To agree and adopt the recommendations in Section 4 of the Bereavement Services Plan which are:

To agree the revision of the Cemetery Rules and Regulations – Appendix 19.

To provide services which meet local needs at the highest possible standards of care, choice and dignity in line with the Council's Equality & Diversity Policy.

To establish a forum with local Funeral Directors to ascertain local needs.

To instigate a review of available memorial and commemorative options.

To layout existing land to ensure the provision of burial land is timely and cost effective.

To assist the Deputy Chief Executive or any person so authorised by him in the acquisition of new land for the purpose of burial to 2099.

To operate revised opening times so as to better meet the requirements of users and of visitors to the cemeteries – Appendix 20."

In considering the report, Members noted the recommendations referred from the Healthier Communities and Older People Policy Development Committee from 30 April 2009.

RESOLVED:

- (A) That the recommendations in Section 4 of the Bereavement Services Plan be agreed and adopted, which are:
 - (i) To agree the revision of the Cemetery Rules and Regulations – Appendix 19.
 - (ii) To provide services which meet local needs at the highest possible standards of care, choice and dignity in line with the Council's Equality & Diversity Policy.
 - (iii) To establish a forum with local Funeral Directors to ascertain local needs.
 - (iv) To instigate a review of available memorial and commemorative options.
 - (v) To layout existing land to ensure the provision of burial land is timely and cost effective.
 - (vi) To assist the Deputy Chief Executive or any person so authorised by him in the acquisition of new land for the purpose of burial to 2099.
 - (vii) To operate revised opening times so as to better meet the requirements of users and of visitors to the cemeteries – Appendix 20.
- (B) That the Action Plan 2009-2019 be approved
- (C) That the estimated funding for years 1-5 of the Action Plan of £81,015.00 be considered as part of the Delivering Change Process in 2010-2011.
- (D) That the identification of burial space at Cannock be an infrastructure requirement within the

Local Development Framework Core Strategy and that investigation be undertaken into potential sites for cemeteries or crematoria as part of the Site Specific Allocations development plan document of the Local Development Framework.

Reason for the Decision

The Council has a legal obligation to maintain cemeteries in "good order and repair" and the Bereavement Services Plan sets out a number of actions enabling the Council to ensure the appropriate and proper management, regulation and control of cemeteries.

The shortage of burial space in that part of the District south of the Area of Outstanding Natural Beauty has been identified in the key planning policy document, The Local Development Framework Core Strategy. Should the Core Strategy, which is due to be adopted in December 2010, confirm this as a key infrastructure requirement, a specific site would be identified in a later Site Allocations Documents.

17. Item Requested by Councillor Mrs. M.A. Davis in Accordance with the Cabinet Procedure Rules

In accordance with the Cabinet Procedure Rules, Councillor Mrs. M.A. Davis, on behalf of the Healthier Communities and Older People Policy Development Committee requested that the following item be considered by Cabinet:

"There was an article which recently appeared in the local press that indicated that it was not a priority of the Cabinet to find additional burial space within the District. I am particularly concerned for those residents of Cannock who do not wish to be buried in Style Cop Cemetery or whose relatives may not have any means of transport to travel to Rugeley. In view of this, can the Leader of the Council please confirm when this will be a priority for the Cabinet and what will be done to address the lack of burial space within the District, and in particular the Cannock area?"

The Leader of the Council responded by stating that the Council had in the past identified potential burial space in the Cannock area but that investigations had revealed problems with the suitability of the land, particularly in relation to high water tables. In addition, the Government had recently indicated that public sector funding was likely to be reduced over the coming years and that this, coupled with the Council's current financial situation, would make it difficult for the Council to purchase or invest in land for the purposes of providing additional burial space. The Leader also added that the identification of burial space within the Cannock area would form part of the Local Development Framework Core Strategy and the investigation of potential sites part of the Site Specific Allocations Development Plan Document. It was, however, recognised that this was a medium to long term strategy and that although sufficient burial space existed at Stile Cop Cemetery in Rugeley consideration may need to be given to identifying a solution in order to meet the short term needs of those residents living within the Cannock area.

18. General Fund Provisional Outturn 2008-09

Consideration was given to a report of the Head of Financial Management (Enclosure 9.1 – 9.21 of the Official Minutes of the Council).

RESOLVED:

- (A) That the provisional outturn for the General Fund for 2008-09 be noted.
- (B) That the financial implications of the outturn be considered as part of 2009-10 to 2012-13 Financial Projection report to Cabinet in September.

Reason for the Decision

The general fund provisional outturn forms part of the formal financial reporting regime of the Council. The overall impact of the outturn, potential budget rollovers and use of reserves, will at this stage, result in the maintenance of balances in accordance with the budget approved by Council in February 2009, although a clearer picture will be available as part of the financial reporting process for 2009-10.

19. Cannock Sports Stadium

Consideration was given to a report of the Deputy Chief Executive (Enclosure 10.1 – 10.22 of the Official Minutes of the Council).

RESOLVED:

- (A) That the findings of the bat survey report July 2009 be noted.
- (B) That, following consideration of the results of the bat survey and to comply with the Council's obligations under the Habitat Regulations, the former clubhouse building on the site of Cannock Stadium not be demolished.
- (C) That the Deputy Chief Executive be authorised to agree and implement a scheme of works to make the former clubhouse building more secure against intruders and that the cost, estimated at £5k, be met from the Landlord's Maintenance Repairs Account.

Reason for the Decision

The bat survey of the Stadium site has confirmed the presence of a single Pipistrelle bat found to be roosting in the former clubhouse on a sporadic basis. In order for the Council to comply with the Habitat Regulations the clubhouse building will not be demolished and a scheme of works will be undertaken to make the building more secure against intruders.

20. West Midlands Regional Spatial Strategy Phase 3 Revision – Gypsies, Travellers and Travelling Showpeople

Consideration was given to a report of the Deputy Chief Executive (Enclosure 11.1 – 11.13 of the Official Minutes of the Council).

RESOLVED:

That in respect of Gypsies, Travellers and Travelling Showpeople a response be sent to the West Midlands Regional Spatial Strategy Phase 3 Revision consultation on the terms set out in paragraphs 4.12, 4.13 and 4.14 of the report, objecting to the proposals for permanent residential pitches and plots for Travelling Showpeople and that the Deputy Chief Executive in consultation with the Cabinet Leader for the Environment be authorised to make any changes considered

necessary to the consultation response prior to its submission by 14th August 2009.

Reason for the Decision

The Council objects to the proposals for the numbers of additional residential pitches for Gypsies and Travellers in Cannock Chase District as these are based on existing levels of demand where it currently exists and the options proposed do not adequately take into account the size of the Districts nor do they allow for adequate consideration of opportunities and constraints within an area. The Council also objects to the proposals for Travelling Showpeople plots as the evidence is very limited and the proposals only short term, looking only until the year 2012 when the West Midlands Regional Spatial Strategy is only to be completed by Autumn 2011 (provisional date).

21. Housing Revenue Account Provisional Outturn 2008-09

Consideration was given to the Joint Report of the Director of Service Improvement and the Head of Financial Management (Enclosure 12.1 – 12.11 of the Official Minutes of the Council).

RESOLVED:

- (A) That the provisional outturn for the Housing Revenue Account for 2008-09 be noted.
- (B) That a further report on the potential implications of the Government's review of Council Housing Finance be considered following the publication of the Government's Consultation paper.

Reason for the Decision

The Housing Revenue Account (HRA) provisional outturn forms part of the formal financial reporting regime of the Council. There has been a statement from the Housing Minister about the outcome of the Government's review of the HRA although no details have yet been announced. These will be the subject of a consultation paper to be published before the summer recess of Parliament. The Government's proposals will have significant implications for the future sustainability of the HRA and will be reported to a future Cabinet meeting before being used as the basis for a further options appraisal for the Council's housing stock.

22. Housing Revenue Account Capital Programmes 2008-09 and 2009-10

Consideration was given to the Joint Report of the Director of Service Improvement and the Head of Financial Management (Enclosure 13.1 – 13.18 of the Official Minutes of the Council).

RESOLVED:

- (A) That the position with regard to actual expenditure in respect of the 2008-09 HRA Capital Programme be noted and that approval be given to incur £72,236 of additional scheme costs met through the virement of existing resources in respect of the following schemes:-
 - (i) Housing Service vehicles - £3,860
 - (ii) Disabled Facilities Works (Council Dwellings) - £50,126

- (iii) Reinstatement of PRC Dwellings - £2,470
- (iv) External Envelope Works - £15,780
- (B) That approval be given to the £10,144 of expenditure in respect of Disabled Facilities Works (Council Dwellings) which has been brought forward from the 2009-10 HRA Capital Programme to the 2008-09 HRA Capital Programme.
- (C) That the reprogramming/slippage of £468,980 of expenditure from the 2008-09 HRA Capital Programme to the 2009-10 HRA Capital Programme, as agreed by the Director of Service Improvement, for the reasons detailed in Annex 6 of the report be noted.
- (D) That the availability and use of resources in financing the 2008-09 HRA Capital Programme be noted and £942,725 of resources are carried forward to 2009-10.
- (E) That the current position with regard to estimated expenditure in respect of the 2009-10 HRA Capital Programme be noted and approval be given to incur £180,000 of additional scheme costs, met through the virement of existing resources:-
 - (i) Disabled Facilities Works (Council Dwellings) - £30,000
 - (ii) Testing and Removal of Asbestos - £150,000
- (F) That the current position regarding the estimated availability of capital resources in 2009-10 be noted and that the £57,885 of uncommitted resources are held as a contingency reserve.

Reason for the Decision

The report presents the outturn position in respect of the 2008-09 HRA Capital Programme and reviews the 2009-10 HRA Capital Programme, in accordance with the Council's agreed Capital Expenditure Control Procedures and Financial Regulations. The reasons for the variances are detailed in Sections 4 and 5 of the report.

23. Vulnerable Tenants Grass Cutting and Internal Decoration Scheme

Consideration was given to a report of the Director of Service Improvement (Enclosure 14.1 – 14.14 of the Official Minutes of the Council).

RESOLVED:

That the proposed vulnerable tenants grass cutting and internal decoration scheme as attached as Annex 2 is agreed.

Reason for the Decision

The "vulnerable tenants" grass cutting and internal decoration scheme has been formulated to adopt common eligibility criteria for both services and restricts future assistance to the most vulnerable tenants who have no alternative means of cutting their grass or internally decorating their home.

24. 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

24. **Mill Green Employment Site**

Consideration was given to the Not for Publication Report of the Deputy Chief Executive (Enclosure 16.1 – 16.16 of the Official Minutes of the Council).

RESOLVED:

That approval be given to the disposal of the Mill Green Employment Site on terms and conditions as set out in Section 2 of the report together with such other terms as may be agreed by the Deputy Chief Executive in consultation with the Portfolio Leader for Access to Education Skills and Employment.

Reason for the Decision

In the current market the disposal of the Mill Green Employment Site offers the best opportunity for the Council to create a serviced prime site available in time to support the post recession recovery of the local market.

LEADER