

CANNOCK CHASE COUNCIL

MINUTES OF THE MEETING OF THE COUNCIL

HELD IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

AT 4.00 P.M., WEDNESDAY, 15 FEBRUARY, 2012

PART 1

PRESENT: Councillors:

Beddows J. (Chairman)
Ball, G.D. (Vice-Chairman)

Adamson, G.	Holder, M.J.
Alcott, G.	Jones, Ms. J.L.
Allen, F.W.C.	Jones, R.
Allt, Mrs. A.	Kraujalis, J.T.
Bennett, Mrs. D.J.	Mitchell, Mrs. C.
Bernard, Mrs. A.F.	Molineux, G.N.
Bernard, J.D.	Morgan, C.W.J.
Burnett, G.	Rowley, J.
Burnett, J.	Snape, P.A.
Davies, D.N.	Spicer, Mrs. A.
Davis, Mrs. M.A.	Sutherland, M.
Dixon, D.I.	Sutton, Mrs. H.M.
Easton, R.	Todd, Mrs. D.M.
Gilbert, P.	Todd, R.J.
Fisher, P.A.	Toth, J.
Green, M.R.	Williams, A.
Grice, Mrs. D.	Williams, B.
Grocott, M.R.	Williams, Mrs. P.

76. Apologies

Apologies for absence were received from Councillors: G.C. Brown; Mrs. S. Cartwright; and Mrs. L. Whitehouse.

77. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members

The following Declarations of Interests were made in addition to those already confirmed by Members in the Register of Members' Interests.

<u>Member</u>	<u>Details</u>	<u>Type</u>
Kraujalis, J.	Chase Advice Centre – Trustee and volunteer Advisor	Personal
Ball, G.D.	Chase Advice Centre – Trustee	Personal

78. Minutes

RESOLVED:

That the Minutes of the Council meeting held on 14 December, 2011 be approved as a correct record and signed, subject to an amendment to the following Declaration of Interest (Minute 63):

Bernard, J.D. should Re. Private Sector Housing Strategy: Member is a Personal
have read Beddows, J private landlord.

In respect of Minute 70 (Motion Received Under Rule 6 - Overnight Closure of the Accident and Emergency Department at Stafford Hospital), the Leader of the Council advised that the request to the Secretary of State for Health to receive a delegation of the four Group Leaders to hear the concerns of local residents had been refused. Instead, a Junior Minister in the Department for Health had suggested that Members meet with the local PCT. Although dissatisfied with the response, the Leader advised Members that a meeting had been arranged with the PCT to discuss the concerns, on Friday, 2 March, 2012.

79. The Chairman's Announcements and Correspondence**(i) Chairman's Charity Box**

The Chairman reported that the charity collection box was circulating for Members to make a donation to support his chosen charities. He advised that at the Meeting held on 14 December, 2011 a total of £50.08 was collected, and he thanked Members for their donations.

(ii) West Chadsmoor Family Centre

The Chairman advised Members that a card had been received from West Chadsmoor Family Centre thanking the Council for financial assistance that had been given to the centre.

(iii) Chairman's Great Grandchild

On a personal note, the Chairman advised that he had at the weekend become a great grandfather for the first time, with the birth of Leila Grace. Members congratulated the Chairman.

80. Questions in Accordance with Rule 8

The following question had been submitted in accordance with Rule 8, by Councillor A. Williams:

"Would the Leader update Council as to what action the Cabinet intend to take in relation to ASDA's failure to comply with the planning conditions imposed on the company, as part of their application in relation to their Avon Road Store in Cannock.

At the time conditions were placed upon ASDA to provide a park and play area on the opposite side of Avon Road, and for ASDA to maintain said area.

It has come to my attention that ASDA are still failing to maintain the area in accordance with the conditions.

Surely we as a Council should be concerned about the safety of residents and their children who use the area?"

The Leader of the Council, Councillor G. Adamson, provided the following response to Councillor Williams' question:

"I would like to thank Councillor Williams for raising this question about the compliance of ASDA with planning conditions for the store on Avon Rd Cannock although I am surprised that this is an issue that he would wish to highlight as the Council is in this dreadful situation with ASDA thanks to the decision made by the previous Tory / Lib Dem administration to ignore officers' advice about the risks they were taking in demolishing our Stadium against the wishes of the vast majority of residents and their failure to spend the ASDA s106 money in time, putting all the cash at risk.

During 2011, Cannock Chase Council Planning Officers conducted a thorough review of all planning conditions relevant to this ASDA store. No breaches of any planning conditions relating to the ASDA store were found.

In relation to the ASDA park opposite the store, the relevant planning condition imposed by the Planning Inspector following the Call In is Condition 6 of planning permission CH/00/0260. This requires that:

"No development shall take place until a schedule of landscape maintenance has been submitted to and approved in writing by the Local Planning Authority. The Schedule shall include details of the arrangements for its implementation"

Cannock Chase Council subsequently approved a schedule in October 2004 which dealt with years 1-3 and from year 4 onwards. However, the schedule only ever dealt with soft landscaping and does not deal specifically with replacement of items such as benches which have been the subject of vandalism. Further, the planning condition does not go on to require ASDA to carry out the works contained in the approved schedule. This is a shortcoming of the condition as worded by the Inspector which the Council cannot change. Therefore, no breach of condition can be evidenced against ASDA in these circumstances.

The Council's Environmental Health Service was involved with the ASDA park in January and February 2007 following vandalism to electrical lighting and the fact that the play area was strewn with broken glass. Council officers made contact with ASDA to address this and ASDA made the lighting safe and arranged for a contractor to clear up the broken glass.

I agree fully with Councillor Williams that ASDA have a responsibility to the community to maintain this park to a good standard which does not always appear to be the case at the moment. Indeed, ASDA has in the recent past sought to transfer responsibility for this park to Cannock Chase Council which the previous administration declined. Cannock Chase Council officers have contacted ASDA and offered to meet with them to discuss park maintenance issues but this has been declined.

I note that in last night's Express & Star the ASDA spokesman offered to meet our officers to discuss issues about the park and I have instructed our officers to make contact with ASDA urgently to take them up on this offer.

Cannock Chase Council will continue to press ASDA to improve the appearance and maintenance of the park but this can only be done by persuasion rather than by planning enforcement. If there are safety concerns then the Council will respond and use all powers in its possession to ensure that ASDA address these promptly and effectively."

81. Housing Revenue Account Business Plan

Consideration was given to the Joint Report of the Head of Housing and the Head of Financial Management (Enclosure 6.1 – 6.8 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The proposed Housing Revenue Account (HRA) Business Plan (attached as Annex 1 to the report) and the associated programme of capital expenditure (attached as Annex 2 to the report) be approved.
- (B) The assumptions used in formulating the HRA Business Plan (attached as Annex 3 to the report) and the associated risk analysis (attached as Annex 4 to the report) be noted.
- (C) The HRA Business Plan be reviewed annually as part of the budget process.

82. Rent Restructuring

Consideration was given to the Joint Report of the Head of Housing and the Head of Financial Management (Enclosure 7.1 – 7.5 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The Government's prescribed 6.1% increase for 2012-13 formula rents and the resultant £3.71 average increase in Council dwelling rents be noted.
- (B) The rent increase be implemented with effect from 2 April 2012.

83. Budget 2012-13 to 2014-15

The Leader advised that the Council's Budget would be dealt with in two parts, starting with the Housing Revenue Account Budget; and then, separately, the proposed General Fund Budget. (Copies of the Leader's Statements on the HRA and General Fund Budgets were distributed at this point.)

84. HRA Budget 2012-13 to 2014-15: Cabinet Resolution (Minutes: 140 and 141)

The Leader introduced the Housing Revenue Account Budget, and consideration was given to the recommendations referred from Cabinet on 2 February, 2012, in respect of:

- (i) Housing Revenue Account Budget 2012-13 to 2014-15
- (ii) Housing Revenue Account Capital Programmes 2012-13 to 2014-15

RESOLVED:

That (in respect of HRA Budget 2012-13 to 2014-15):

- (A) A minimum level of working balances of £1,509,660 for 2012-13 with indicative working balances of £1,359,780 and £1,418,900 for 2012-13 and 2014-15, respectively, be determined.
- (B) The HRA Revenue Budget for 2012-13, 2013-14 and 2014-15 be approved (and the estimated outturn for 2011-12 be noted) as summarised at Annex 1 of the report. (Attached as ANNEX A to the Council Agenda.)

and (in respect of Housing Revenue Account Capital Programmes 2012-13 to 2014-15):

- (C) A three year HRA Capital Programme for 2012-13, 2013-14 and 2014-15 be approved in accordance with the HRA capital expenditure requirements as set out in the report and summarised at Annex 2 of the report. (Attached as ANNEX B to the Council Agenda.)

85. Budget Timetable – Procedural Issues

Consideration was given to the Joint Report of the Head of Financial Management and Council Solicitor (Enclosure 9.1 – 9.6 of the Official Minutes of the Council).

RESOLVED:

That it be noted that Council would be required to meet on 29 February to set the overall Council Tax for 2012-13.

86. Budget 2011-12 to 2014-15: Cabinet Resolution (Minutes: 143; 144; 145; and 146)

The Chairman of the Council waived the 10 minutes rule for the Leader's Budget Statement.

The Leader of the Council, Councillor G. Adamson, presented the Budget recommendations referred from Cabinet held on 2 February, 2012, in respect of the General Fund Revenue Budget 2011-12 to 2014-15. The Budget recommendations were seconded.

Conservative Group Alternative Budget Proposal

The Chairman of the Council waived the 10 minutes rule for the Leader of the Conservative Group's Budget Statement.

The Leader of the Conservative Group, Councillor M. Sutherland, then moved the Alternative Budget proposal put forward by the Conservative Group as a referral back to Cabinet, which was seconded.

Members then debated the Conservative Group's Alternative Budget proposals.

RESOLVED:

That the Conservative Group's Alternative Budget proposals be referred back to Cabinet.

The meeting was adjourned at 6.25 pm, and reconvened at 6.35 pm.

Liberal Democrat Group Alternative Budget Proposal

The Chairman of the Council waived the 10 minutes rule for the Leader of the Liberal Democrat Group's Budget Statement.

The Leader of the Liberal Democrat Group, Councillor D. Davies, then moved the Alternative Budget proposal put forward by the Liberal Democrat Group as a referral back to Cabinet, which was seconded.

Members then debated the Liberal Democrat Group's Alternative Budget proposals.

RESOLVED:

That the Liberal Democrat Group's Alternative Budget proposals be referred back to Cabinet.

87. 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 2, 3 and 4, Part 1, Schedule 12A Local Government Act 1972 (as amended).

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PART 2

88. Senior Management Restructure

Consideration was given to the Not for Publication Report of the Chief Executive (Enclosure 12.1 – 12.8 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The structure as set out in Annex 2 of the report, and as described in the report, be approved.
- (B) The appointments process set out in the report be approved.
- (C) The appointment of four Members of the Council to sit on the Appointments Panel for the Council's Head of Finance, Section 151 Officer be confirmed.

CHAIRMAN

(The meeting closed at 7.00 pm.)