

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE COUNCIL
HELD IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK
AT 4.00 P.M., WEDNESDAY, 12 AUGUST, 2015
PART 1

PRESENT: Councillors:

Freeman, Miss M.A. (Chairman)
Stretton, Mrs. P.Z. (Vice Chairman)

Adamson, G.	Hardman, W.
Alcott, G.	Hoare, M.
Allen, F.W.C.	Johnson, J.P.
Anslow, C.	Johnson, T.B.
Bennett, C.	Kraujalis, J.T.
Bernard, Mrs. A.F.	Lea, C.I.
Bowater, J.L.	Lovell, A.
Burnett, G.	Mitchell, Mrs. C.
Cartwright, Mrs. S.M.	Molineux, G.N.
Cooper, Miss J.	Peake, Mrs. C.
Davis, Mrs. M.A.	Pearson, A.
Dean, A.	Preece, J.T.
Dudson, A.	Snape, P.A.
Dudson, Miss M.J.	Sutherland, M.
Foley, D.	Sutton, Mrs. H.M.
Gamble, B.	Todd, Mrs. D.M.
Grice, Mrs. D.	Witton, P.
Grocott, M.R.	

27. Apologies

Apologies for absence were received for Councillor Mrs. A. Allt; M. Buttery; Miss J. Christian; and Miss S. Whitehouse.

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

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

29. Minutes

RESOLVED:

That the Minutes of the Council Meeting held on 8 July, 2015, be approved as a correct record and signed.

30. The Chairman's Announcements and Correspondence

(i) Chairman's Charity Collection Box

The Chairman advised that the charity collection box was circulating for Members to make a donation. She reported that at the meeting held on 8 July, 2015, a total of £34.68 was collected, and she thanked Members for their donations.

(ii) Dates for Members' Diaries

The Chairman announced that she would be holding the following fund raising events:

(a) A Bavarian Night on Friday, 9 October, 2015

(b) Christmas Carol Concert on Friday, 11 December, 2015

Further details would be sent to Members in due course, and the Chairman hoped they would lend their support to the events.

31. Question(s) in Accordance with Rule 8

The following question had been submitted in accordance with Rule 8:

Question from Councillor M.J. Grocott, Western Springs Ward:

"I would like to ask the Leader and relevant Portfolio holder if Council would consider allocating parking passes to 3 residential properties in Forge Road, Rugeley.

The background is that a former commercial premises has been converted into 3 residential properties but no parking is available. There is, however, a hatched area that was used by the business for parking and deliveries. All of the businesses in Albion Street that back onto Forge Lane car park have parking at the rear of the shops with no charge. The area that I am asking Council to consider does not come under the pay and display part of the car park so Council would not be losing any revenue if this was adopted.

The Council have in the past allocated this type of pass namely in Taylors Lane by the old squash courts for the residents in the alms houses.

If at any time any Member or Officer would like to visit the site in question, I would be more than happy to meet with them to discuss the possibilities."

Response to the Question

The Environment Portfolio Leader advised that a written copy of the response to the question had been distributed to Councillor Grocott and all other Members present. As it was a substantial and detailed response of 17 paragraphs, he asked if Councillor Grocott wanted him to read it out or if he was prepared to

accept it as provided. Councillor Grocott indicated that he would accept the response, and would speak separately to the Portfolio Leader if he had any further issues.

The full response read as follows:

1. The planning application (CH/13/0178) was received by the Council to convert the ex-Motorsave commercial premises into three residential flats in May 2013.
2. The property was a former retail premise which was converted into offices and then finally residential flats. Planning officers considered it did not require off-street parking due to its town centre location, not having previously had a parking facility and good access to public transport.
3. Planning Officers considered the application and recommended it was granted without any requirement for off street parking to be included in accordance with current town centre planning guidance from Central Government encouraging this type of town centre development.
4. The property is situated on the corner of Albion Street and Forge Road and backs on to Service Area 10 and Forge Road Carpark (see attached maps/photographs). Part of the area is kept clear for delivery vehicles to other business premises within Albion Street and part of the area is marked out for car parking under a pay and display scheme.
5. New residents to the properties (it would be expected) would have been made aware of the situation regarding the parking restrictions by the Vendor prior to signing the contract and moving into the property.
6. The properties adjoining the flats do have parking but this is on their own land at the rear of their premises.
7. There is a hatched loading area to the rear of the property but that would only be large enough for one vehicle, if altered.
8. The area at the rear of the property was marked as a "hatched" area previously to keep the rear doors clear for deliveries; this was not a designated parking bay for the original business.
9. If the existing pay and display parking bays were allocated for resident parking that would mean the potential loss of carpark income to the Council.
10. It would also mean other residents in similar situation, in other accommodation without parking in town centres may approach the Council, looking for a similar solution to be offered. This could then have a larger impact on the Councils pay and display carpark income.
11. At this point there is no firm information to support an estimate of the number of town centre properties within the district that do not have access to off-street free parking.
12. The Council is aware however there are numerous business premises around Rugeley and Cannock Town Centre with living accommodation above. None of these residents are given free permits to park on Council car parks.
13. In the past the Council has granted permits to residents of six Almshouses in

Taylor's Lane (as stated by Cllr Grocott) in 2008 following a report to Cabinet (see attached).

14. The request originated from residents of the Almshouses who did not have cars themselves but were reliant on care workers, health professionals and family members visiting to look after them. There were double yellow lines on both sides of Taylor's Lane, therefore the request was made for a permit for the adjacent car park.
15. The request was granted at Cabinet 17th July 2008 to give one permit per property. The existing Parking Order had to be amended as there was no provision at the time for permits within the Rugeley parking order.
16. When CPE was introduced in 2009 all Parking Orders were consolidated into one new order and the provision of permits were included to avoid having to vary any such orders in future, therefore permits could be issued if delegated authority was given.
17. Given the above it is felt the Council should not issue 'free' parking permits to the residents of the properties. However, it will make available 'paid' parking permits', in the form of one season ticket to each resident, to enable parking in the marked bays adjacent to the rear of the properties, if still required. This action comes as a result of the request and would not normally be undertaken in this particular carpark/service area. The season tickets may be arranged with Waste and Engineering Services Section and will require payment to the Council by standing order.

[Note – Parking season tickets are available at £37.50 per month (£450 p.a.)].

32. Part 1 Minutes of Cabinet, Committees, Panels and Forums

RESOLVED:

That the Part 1 Minutes and Notes of the following Cabinet, Committees, Panels and Forums be adopted and any recommendations be approved and decisions implemented following the expiry of any call-in period:-

- (a) Cabinet – 25 June, 2015

Former Stadium Site Play Area (Minute 3) – The Leader commented that he walked his dog daily at the former Stadium site and it was pleasing to note how popular and well used the new play area was. This formed phase one of a £1.3m investment that was part funded by S.106 monies from ASDA.

However, whilst the final outcome was gratifying, it remained a terrible shame that it had had to be achieved through the neglect and eventual loss of the former Stadium. This had been brought about by the actions of a former administration, and it was interesting to note that of the 21 Members who voted to knock it down only 3 currently remained as elected Councillors.

Crime and Partnerships (Minute 3) – The Leader of the Opposition enquired if, following the demise of the Community Forums, the Crime and Partnerships Portfolio Leader could be asked to give regular updates to Council on Crime and Partnerships issues. The Leader of the Council

advised that under the proposed new Scrutiny Committee structure to be discussed later, Portfolio Leaders would be invited to attend the Committees and take questions on matters relating to their area of responsibility.

- (b) Planning Control Committee – 3 and 24 June, 2015
- (c) Health Scrutiny Committee – 10 June, 2015
- (d) Appeals and Complaints Panel – 8 and 30 July, 2015

33. Recommendations Referred from Cabinet, Committees etc.

Consideration was given to recommendations to Council agreed by Cabinet at its meeting held on 23 July, 2015, in respect of the Corporate Plan and Priority Delivery Plans.

In introducing and moving the recommendation, which was seconded, the Leader advised that due to other commitments, neither he nor the Corporate Improvement Portfolio Leader were in attendance at the Cabinet meeting at which the matter was considered. Unfortunately, therefore, no account was taken of the fact that there would need to be a transitional period to allow for the existing Scrutiny Committee to complete its review of the approach to Scrutiny which was on its work programme. The intention being that the review would inform and support the new Committees in their work and might make further recommendations for change.

The Leader, therefore, gave notice of his intention to move an amendment in order to address the transitional Scrutiny situation.

Corporate Plan and Priority Delivery Plans (Minute no. 24)

“That Council, at its meeting to be held on 12 August, 2015, be recommended to:

- (A) Adopt and approve for publication the Corporate Plan 2015-18, that details the Council’s core values, mission and priorities, together with the Priority Delivery Plans and the Locality Partnership Plan for the financial year 2015/16.
- (B) Approve the proposed changes to the Policy Development and Scrutiny Committee structures as set out in paragraph 5.5 of the report, with effect from 1 September, 2015.

It was noted that this would enable the scheduled meeting of the Scrutiny Committee to take place on 25 August, 2015 to consider the Annual Performance Report 2014-15.”

The Leader moved the following amendment to the recommendation, which was seconded:

- (C) Retain the main Scrutiny Committee for the remainder of the 2015-16 Municipal Year, to oversee the transition to the new Scrutiny structure and to complete the review on the Council’s approach to Scrutiny. From 1 September, 2015, the membership of the transitional Scrutiny Committee to comprise the current Scrutiny Committee Chairman and the Chairs of

the 6 PDP Scrutiny Committees, plus others in accordance with the political balance calculation (i.e. a total of 8 Labour Group members; plus 4 Conservative; 2 UKIP; and 1 Liberal Democrat / Independent).

The amendment was agreed, and the amended recommendation was voted on and agreed.

RESOLVED:

To:

- (A) Adopt and approve for publication the Corporate Plan 2015-18, that details the Council's core values, mission and priorities, together with the Priority Delivery Plans and the Locality Partnership Plan for the financial year 2015/16.
- (B) Approve the proposed changes to the Policy Development and Scrutiny Committee structures as set out in paragraph 5.5 of the report (to Cabinet), with effect from 1 September, 2015.
- (C) Retain the main Scrutiny Committee for the remainder of the 2015-16 Municipal Year, to oversee the transition to the new Scrutiny structure and to complete the review on the Council's approach to Scrutiny. From 1 September, 2015, the membership of the transitional Scrutiny Committee to comprise the current Scrutiny Committee Chairman and the Chairs of the 6 PDP Scrutiny Committees, plus others in accordance with the political balance calculation (i.e. a total of 8 Labour Group members; plus 4 Conservative; 2 UKIP; and 1 Liberal Democrat / Independent).

34. Planning Control Committee

The Leader asked Council to note and agree his intention to change three members of the Planning Control Committee.

RESOLVED:

That Councillors Miss. M. Dudson; D. Foley; and B. Gamble should replace Councillors F.W.C. Allen; A. Dudson; and Mrs. D. Todd on the Planning Control Committee.

35. Motion(s) Received under Rule 6

No Motions had been submitted under Rule 6.

36. The Constitution

Consideration was given to the Report of the Monitoring Officer (Item 9.1 – 9.4 of the Official Minutes of the Council).

RESOLVED:

That the revised Constitution for Cannock Chase District Council be adopted to come into effect on 1 September, 2015.

37. Allocation of Seats to Political Groups to Committees and Other Bodies

Consideration was given to the Report of the Managing Director (Item 10.1 – 10.5 of the Official Minutes of the Council).

RESOLVED:

That the allocation of seats to the different Political Groups to the Council's Committees and Other Bodies as set out in Appendix 1 to the report be confirmed, in order that the appointment of Chairmen, Vice-Chairmen and Members to Committees and Other Bodies could be considered subsequently on the agenda of the meeting.

38. Appointment of Members, Chairmen and Vice-Chairmen to the Council's Scrutiny Committees

A schedule setting out the nominations provided by each of the Political Group Leaders for Members to be appointed to the Council's Scrutiny Committees, together with nominations for the appointment of Chairmen and Vice Chairmen, had been circulated to Members prior to the meeting.

The Leader of the Opposition confirmed that he had not nominated any of his Group to the positions of Chairmen or Vice Chairmen as they were unlikely to be elected if the matter was put to a vote on a simple majority. However, he called upon the Leader to consider appointing Opposition Members to Chairmen or Vice Chairmen roles to ensure proper scrutiny. The Leader reminded the Leader of the Opposition that the ruling Conservative majority on the County Council had similar arrangements whereby its Scrutiny Committees were also chaired by members of the ruling administration and seats were also allocated in accordance with the political balance. Furthermore, Cannock Chase Council made the vast majority of its decisions in the public arena and only matters concerning private individuals or involving negotiations that were sensitive or of a commercially confidential nature were considered in Part 2.

RESOLVED:

That the memberships, Chairmen and Vice Chairmen of the Council's Scrutiny Committees with effect from 1 September, 2015, as set out on the schedule circulated, be agreed.

39. Amendments to the Memberships of Committees and Other Bodies

Consideration was given to the Report of the Managing Director (Item 12.1 – 12.4 of the Official Minutes of the Council).

RESOLVED:

That the membership of the Council's Appointments Panel as previously agreed at the Annual Council Meeting on 27 May and Council on 8 July, 2015, be amended as detailed in paragraph 5.3 of the report.

40. Revised Calendar of Meetings 2015-16

Consideration was given to the Report of the Managing Director (Item 13.1 – 13.8 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The revised Calendar of Meetings 2015-16, included as Appendix 1 to the report, be approved.
- (B) The Managing Director in consultation with the Chairman of the Council, the relevant Chairmen of Committees and / or Leader of the Council, as appropriate, be authorised to amend the Calendar of Meetings, through convening additional meetings, or the postponement or cancellation of meetings, if required.

41. Employer Pensions Discretions Under the Local Government Pension Scheme

Consideration was given to the report of the Head of human Resources (Item 14.1 – 14.13 of the Official Minutes of the Council).

Members sought clarification of a number of points, specifically with regard to former employers transferred under TUPE, which the Head of Human Resources clarified.

RESOLVED:

That:

- (A) The updated pension discretions statement as set out in Appendix 1 to the report be approved.
- (B) Discontinuation of the Council's Injury Allowance Scheme be approved.

42. Cannock Chase Community Infrastructure Levy (CIL) Guidance Amendments, Exceptional Relief and Payments in Kind Protocol

Consideration was given to the Report of the Head of Economic Development (Item 15.1 – 15.20 of the Official Minutes of the Council).

The Economic Development and Planning Portfolio Leader advised that there were some typographical errors in the report which pointed out. In particular, references to 'Portfolio Leader for Resources' should be substituted with 'Corporate Improvement Portfolio Leader'.

Following a further discussion amongst Members, it was moved and seconded and agreed that the recommendations should be amended to include the Leader of the Council. Accordingly, it was:

RESOLVED:

That:

- (A) The proposed amendments to the CIL Guidance for Landowners and Developers (2014), as detailed in the report, be adopted.

- (B) Formal introduction of an exceptional circumstances relief policy and payments in kind policy be approved.
- (C) The Head of Finance and the Head of Economic Development be delegated authority to jointly make decisions on whether or not to offer exceptional relief from CIL and accept payments in kind on a case by case basis, in consultation with the Leader of the Council and the Corporate Improvement Portfolio Holder.

43. 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(s) 1; 2; and 3, Part 1, Schedule 12A of the Local Government Act, 1972.

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE COUNCIL
HELD IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK
AT 4.00 P.M., WEDNESDAY, 12 AUGUST, 2015
PART 2

44. Part 2 Minutes of Cabinet, Committees and Panels

RESOLVED:

That the Part 2 Minutes of the following Cabinet, Committees and Panels be adopted and any recommendations be approved and decisions implemented following the expiry of any call-in period:-

(a) Cabinet – 25 June, 2015

St. Joseph's Church Car Park, Rugeley (Minute 14) – In response to a Members' question, the Leader confirmed that this matter had been considered in Part 2 on the Cabinet meeting, because at the time discussions had not taken place with the Birmingham Roman Catholic Diocesan Trustees about not renewing the lease for the pay and display car park.

(b) Appeals and Complaints Panel – 8 and 30 July, 2015

The meeting closed at 5.10 p.m.

CHAIRMAN