

CANNOCK CHASE COUNCIL

MINUTES OF THE MEETING OF THE

CABINET

HELD ON THURSDAY, 15 SEPTEMBER, 2011 AT 5.45 P.M.

IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT: Councillors

Adamson, G.	Leader of the Council
Toth, J.	Deputy Leader of the Council and Environment Portfolio Leader
Mitchell, Mrs. C.	Culture and Sport Portfolio Leader
Alcott, G.	Economic Development and Planning Portfolio Leader
Davis, Mrs. M.A.	Health and Wellbeing Portfolio Leader
Allen, F.W.C.	Housing Portfolio Leader

45. Apologies

Apologies for absence were received from Councillor D.I. Dixon (Corporate Improvement Portfolio Leader) and Councillor Mrs. D.M. Todd (Town Centre Regeneration Portfolio Leader).

46. 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>
Davis, Mrs. M.A.	Joint Report of the Head of Financial Management and Head of Housing – Request for Financial Assistance – West Chadsmoor Family Centre – Member is a Trustee of West Chadsmoor Family Centre	Personal

47. Updates from Portfolio Leaders

Economic Development and Planning

The Portfolio Leader reported that the volume of applicants for job vacancies at the new Amazon warehouse in Rugeley had led to a delay in processing the applications. Applicants were being asked to be patient and Amazon would respond in due course.

He further advised that Staffordshire County Council had reconsidered the Planning Application in relation to the Energy Recovery Centre at Kingswood Lakeside and it had been refused.

Culture and Sport

The Portfolio Leader reported that works were continuing with the construction project at the Chase Leisure Centre and the new roof was being installed. Some leaks had occurred and staff were having to decide daily if the dry side of the Centre should remain open. Members agreed that they would like to undertake a visit of the Centre to view the progress of the construction scheme. The Corporate Director agreed to arrange this.

With regard to the 3rd party procurement project she advised that Members of the Culture and Sport PDC and any interested Councillors had been involved in the presentations from the prospective partners on 6 September 2011. Officers and Members were undertaking site visits of the organisations this weekend. Officers would then be evaluating the bids and making a recommendation to Cabinet regarding the preferred partner in due course.

She then reported that the planning application in relation to the ATP at Cardinal Griffin was considered at the Planning Control Committee on 14 September. Members had deferred the application to the next meeting in order to receive further information from the Football Foundation. A representative from the Football Foundation would be invited to attend the next meeting to answer queries regarding funding expectations.

She then commented on the successful Play Rangers bid and advised that work was continuing on the Bevan Lee Play bid. She advised that the Rugeley Leisure Centre lease had been signed by Staffordshire County Council and the District Council.

48. Minutes

RESOLVED:

That the Minutes of the meeting held on 21 July, 2011 be approved as a correct record and signed.

49. Forward Plan

Consideration was given to the Forward Plan of Decisions for the period September - November, 2011 (Enclosure 5.1 – 5.4 of the Official Minutes of the Council).

The Economic Development and Planning Portfolio Leader referred to the CLG consultation on the draft National Planning Policy Framework. He asked Members to note that the 20% increase in the 5 year housing supply would only be required for one year, not each year. This was an attempt to initiate house building again.

RESOLVED:

That the Forward Plan of Decisions for the period September – November 2011, be noted.

50. Minutes of Policy Development Committees and Other Committees

RESOLVED:

That the Minutes of the following Policy Development Committees and other Committees be received for information:

- (i) Pay Adjustment and Staff Structure Review Cabinet Committee – 8 July, 2011
- (ii) Health and Wellbeing – 8 August, 2011
- (iii) Culture and Sport – 9 August, 2011

51. Recommendations from Housing Policy Development Committee – 15 August 2011

Consideration was given to the following recommendations referred from the Housing Policy Development Committee held on 15 August, 2011, in respect of:

Disposal of Vacant One Bedroom Bungalows – Policy Review

That the Council continue with the current bungalow disposal policy but “cap” the number of Sales to an average of five bungalows a year over the next five years, from 2012-13 onwards.

RESOLVED:

That the Council continue with the current bungalow disposal policy but “cap” the number of Sales to an average of five bungalows a year over the next five years, from 2012-13 onwards.

52. Moss Road Estate Regeneration Strategy – Establishment of a Structural Reinstatement Design Budget

Consideration was given to the Report of the Head of Housing (Enclosure 8.1 – 8.6 of the Official Minutes of the Council).

RESOLVED:

- (A) That a design budget of £20,000 be established as part of the 2011-12 Housing Revenue Account Capital Programme to commence the design of a Structural Reinstatement Scheme for the Reema houses on the Moss Road Estate, Chadsmoor.
- (B) That the budget be funded through an additional £20,000 Revenue contribution to Capital outlay met through the virement of existing resources.
- (C) That scheme approval and permission to spend be granted for the design of the Moss Road Estate Reema House Structural Reinstatement Scheme.
- (D) That following completion of the design works; Cabinet receive a further report on a proposed structural reinstatement scheme based on an assured life of 30 years without mortgageability.

Reason(s) for the Decision

In order to progress the Structural Reinstatement of the 63 Reema houses on the Moss Road Estate, Chadsmoor, it is necessary to appoint a Structural Engineer and commence the design works during the current financial year. However, no budgetary provision currently exists within the 2011-12 HRA Capital Programme to fund the commencement of the required design works. It is therefore proposed to establish a budget through an additional £20,000 Revenue contribution to capital outlay funded from a vacant post.

Details of the Structural Reinstatement Scheme will be the subject of a future Cabinet report. However, it is proposed the Scheme is formulated on the basis of Structural Reinstatement to an assured life of 30 years, without mortgageability as this represents the most cost effective option and previously formed the reinstatement standard works to the Council's Reema houses in the Braemar Road/Red Lion Crescent area, Norton Canes

53. Moss Road Estate Regeneration Strategy – Rehousing and Compensation

Consideration was given to the Report of the Head of Housing (Enclosure 9.1 – 9.10 of the Official Minutes of the Council).

RESOLVED:

- (A) That the Rehousing policy to facilitate the redevelopment of the Reema flats on the Moss Road Estate as Annex 1 of the report be agreed and implemented from 1 October 2011.
- (B) That the Homeloss and Disturbance Policy to facilitate the redevelopment of the Reema flats on the Moss Road Estate as Annex 2 of the report be agreed and implemented from 1 October 2011.
- (C) That a budget of £100,000 be established within the 2011-2012 Housing Revenue Account Capital Programme for the payment of Homeloss and Disturbance Allowances (and other ancillary costs) in relation to the Reema flats redevelopment scheme.
- (D) That scheme approval and permission to spend be granted for payment of Homeloss and Disturbance Allowances (and other ancillary costs) in relation to the Reema flats redevelopment scheme.

Reason(s) for the Decision

In order to progress the redevelopment of the Reema flats as part of the agreed regeneration strategy for the Moss Road Estate, this report present a proposed rehousing policy (Annex 1) and a proposed Homeloss and Disturbance policy (Annex 2).

There is no budget within the agreed 2011-12 HRA Capital Programme to commence the payment of Homeloss and Disturbance allowances in accordance with the proposed rehousing policy during the current financial year. It is therefore proposed that a budget of £100,00 is established through the virement of uncommitted capital resources.

54. Choice Based Lettings Scheme Review

Consideration was given to the Report of the Head of Housing (Enclosure 10.1 – 10.10 of the Official Minutes of the Council).

RESOLVED:

- (A) That UChoose Homes common allocations policy be not adopted at the present time.

- (B) That the age eligibility for Council sheltered accommodation and bungalows be lowered to applicants who are aged 55 and over.
- (C) That vacant properties are no longer advertised in the local press and that the resultant budget savings are used to fund an additional part-time employee to provide further advice and assistance to vulnerable applicants.
- (D) That a further review of the Council's allocations scheme be undertaken following the receipt of revised Government Guidance regarding proposed changes to the statutory framework for the allocation of social housing.

Reason(s) for the Decision

The Council use a Choice Based Lettings Scheme for the allocation of social housing in the Cannock Chase area and this report presents a review of the scheme following two years operation.

The Government are proposing legislative changes to the present statutory allocations framework to increase the flexibility of local authorities and further guidance on these is expected to be issued, subject to the Localism Bill receiving Royal Assent.

In view of these impending changes and the satisfaction levels amongst service users, it is considered that the scheme does not require radical review at the present time. Three issues have however, been reviewed, pending a further policy review following the expected publication of revised national allocations guidance next year.

The three issues which have also been considered by the Housing Policy Development Committee are:

- (a) The adoption of the "UChoose" Common Allocations Policy
- (b) Age Eligibility for Sheltered Accommodation and Bungalows
- (c) Advertising Vacant Properties

The report provides a policy review of these issues and as a result of this, changes for the Council's existing allocations policy and procedures are recommended.

55. Proposed Development of Council owned garage sites in West Chadsmoor, Cannock

Consideration was given to the Report of the Head of Housing (Enclosure 11.1 – 11.10 of the Official Minutes of the Council).

RESOLVED:

- (A) That the sale of garage sites at South of Woodside Place, between Glen Close and Woodside Place, between Glen Close and Wardle Place and North of Wardle Place, West Chadsmoor as shown on the plans attached at Annex 1 to the report to Heantun Housing Association, on terms and conditions to be agreed by the Corporate Director be agreed.
- (B) That the principles of the supported housing development to be provided at South of Woodside Place for those with learning disabilities as identified in Section 4 of the

report be agreed.

Reason(s) for the Decision

Development of the four former garage sites will help to meet the identified needs of vulnerable households whose housing needs may not otherwise be adequately addressed and will utilise sites which have already been deemed surplus to requirements. The capital receipt from Heatun Housing Association is likely to be less than the Council could obtain by a sale of the sites for speculative residential development purposes but would be certain and would be available to support the HRA Programme or facilitate the provision of further affordable housing.

56. Housing Services 2010-11 Annual Report

Consideration was given to the Report of the Head of Housing (Enclosure 12.1 – 12.5 of the Official Minutes of the Council).

RESOLVED:

- (A) That the draft 2010-11 Housing Services Annual Report, including the local offers (attached at Annex 1 to the report) be agreed for circulation to all the Council's tenants.
- (B) That if required the Head of Housing following consultation with the Housing Portfolio Leader be authorised to make amendments to the draft 2010-11 Housing Services Annual Report prior to circulation.

Reason(s) for the Decision

The Council is required to publish an Annual Housing Report in accordance with the Regulatory Framework for social housing.

A draft report for 2010-11 is attached at Annex 1 of the report and it is proposed that this is agreed for circulation to Council tenants.

57. Quarter 1 Performance Report 2011/12

Consideration was given to the Report of the Head of Policy (Enclosure 13.1 – 13.7 of the Official Minutes of the Council).

RESOLVED:

That Cabinet:

- (A) Note the performance information and the case studies relating to PDP's as detailed at Annexes 1, 2, 3 and 4 of the report.
- (B) Note the actions and indicators which are rated Red or Amber and confirm the remedial action or rescheduled delivery stated to address performance.

Reason(s) for the Decision

Information for performance actions, indicators and case studies during Quarter 1 2011/12 is included for relevant items in Annexes 1 to 4 of the report. The overall rankings for each Portfolio area are detailed in Section 4, indicating that 82.8% of targets have been achieved during the first Quarter of 2011/12. The recommendations reflect that this performance and any subsequent rescheduling are noted.

58. Draft National Planning Policy Framework – CLG Consultation

Consideration was given to the Report of the Head of Planning and Regeneration (Enclosure 14.1 – 14.13 of the Official Minutes of the Council).

RESOLVED:

- (A) That Cabinet notes the draft National Planning Policy Framework and the potential implications for planning within the District and responds to the Government's invitation to comment.
- (B) That Cabinet invite the Economic Development and Planning Policy Development Committee to comment on the draft National Planning Policy Framework.
- (C) That the Corporate Director in consultation with the Economic Development and Planning Portfolio Leader be authorised to respond to the Government's consultation taking into account the implications for the District in Section 4 of the report, and the draft response to the consultation questions at Annex 1 of the report, together with such other views of the Policy Development Committee as may be considered appropriate.

Reason(s) for the Decision

The draft NPPF appears to be a genuine attempt to simplify national planning policy. Its emphasis on the NPPF facilitating economic growth, exemplified by the presumption in favour of sustainable development is however of some concern and has the potential to undermine the Council's ability to direct development. The essentially market driven approach has the potential to not be in the best interests of securing the best planning outcome in all cases. Genuine sustainable development requires more equal weight between economic, environmental and social considerations.

The recommendation allows for fuller debate of the significant implications in the draft NPPF both within Cabinet and in the Economic Development and Planning Policy Development Committee before an agreed response is returned to the DCLG.

59. Draft Policy on Sex Establishments

Consideration was given to the Head of Environmental Health (Enclosure 15.1 – 15.5 of the Official Minutes of the Council).

RESOLVED:

That the draft Policy, attached at Annex 1 to the report, be endorsed by Cabinet.

Reason(s) for the Decision

It is considered important to have a Policy on Sex Establishments in order that the Council, applicants and the public have a framework for the regulation of such venues.

A draft Policy has been prepared and fully consulted upon. Valid comments received have been given due consideration and the draft document amended as appropriate. The consultation responses and their evaluations are given at Annex 2 of the report.

Comments have also been received from two people regarding morality issues; one from a member of the public who stated that she has not read the draft policy and one from a Church Leader as an addendum to his valid response. The Council is unable to consider morality issues when regulating sex establishments.

The owner of the only venue within Cannock Chase to currently provide lap dancing in his premises has written to the Council outside of the consultation period to ask for a pro rata licence fee to be applied to his business. Lap dancing is offered on a weekly basis at this venue. The legislation provides an exemption from the licensing regime for "infrequent" sexual entertainment. "Infrequent" means on no more than 11 occasions in any 12 month period; is no more frequently than once a month and with each event lasting no longer than 24 hours. There is no facility to offer a reduction in licence fees for a premise that provides sexual entertainment on a basis that falls outside the definition of "infrequent".

The final version of the Policy will need to be considered, agreed and adopted by full Council before it can be implemented.

60. Stray Dog Service

Consideration was given to the Report of the Head of Environmental Health (Enclosure 16.1 – 16.9 of the Official Minutes of the Council).

RESOLVED:

- (A) That Option 2 as set out at Annex A of the report be the preferred option for delivery of the stray dog service.
- (B) That the Head of Environmental Health be asked to develop an action plan to ensure all elements are fully costed and delivered (or trialled) within an appropriate timescale.

Reason(s) for the Decision

Dealing with stray dogs in Cannock Chase District currently costs the Council approximately £20,000 per annum (excluding internal recharges). It is likely that these costs will increase as both the collection and kennelling contracts expire at the end of March 2012 and will be subject to a quotation process in the near future. This report presents members with an opportunity to review the service provided in advance of the renewal of both contracts. Members will need to decide the emphasis to be placed on minimising/recovering costs, encouraging responsible dog ownership and promoting animal welfare issues in the District using a balance of education and enforcement activities. Since numbers of stray dogs have remained fairly constant in recent years, reduced costs will be achieved either through recovering more money from those owners

who do reclaim and/or from creating incentives to encourage more owners to reclaim. Annex A of the report presents a range of possible options, together with estimated costs, to assist Members in their decision.

61. Heatseekers Project

Consideration was given to the Report of the Head of Environmental Health (Enclosure 17.1 – 17.6 of the Official Minutes of the Council).

RESOLVED:

That Members support the Energy Saving Partnership Limited with support for the Heatseekers imaging project across the District as it develops, through granting permission to use the Council logo and local support as necessary to assist in its promotion subject to appropriate safeguards being put in place regarding privacy and sales techniques.

Reason(s) for the Decision

The Council has an opportunity to support a scheme which clearly identifies properties in the District which are not sufficiently insulated and enable those owners to access loft and/or cavity wall insulation to improve the Standard Assessment Performance (SAP) rating of their property and save on the cost of heating.

62. Application for Grant Aid for the Development of Hednesford Park from the Heritage Lottery Fund

Consideration was given to the Report of the Head of Environmental Services (Enclosure 18.1 – 18.13 of the Official Minutes of the Council).

RESOLVED:

- (A) That Members grant retrospective permission for the submission of the Stage 1 Lottery Bid in August 2011.
- (B) To approve that the application be signed by the Corporate Director.
- (C) To approve Tom Walsh (Parks and Open Spaces Manager) as the official contact for the project.

Reason(s) for the Decision

Hednesford Park was identified as the most popular park in the 2005 Green Spaces Strategy. The Park and the War Memorial have not received any major council expenditure (over and above revenue) since 1997/1998.

Officers have estimated that the work identified in the master plan (Annex 1) will cost in the region of £3.7 million. Works to be completed by St. Modwen are estimated to be in the region of £239,925.

Included in the Council's Section 106 Capital Programme for 2011-12, 2013-14 is £68,920.

Added to the estimated figure in the paragraph above, this allocates £308,920 for the development of Hednesford Park.

It is therefore proposed that this sum is used to work in partnership with HLF to investigate whether a scheme could be approved. This would require a sum in the region of £2,761,180 (inc. Development funding) from Heritage Lottery Fund for both Capital Works and additional Revenue over the five years of the Grant aid period.

The HLF have indicated that they will not fund improvements to the Sports facilities as they are mostly concerned with the restoration and conservation of the Heritage aspect of the Park. This does leave a shortfall of some £571,000 of which separate applications would need to be made to the respective sports organisations such as Sport England, Lawn Tennis Association and the Football Foundation.

63. Urgent Report - Request for Financial Assistance – West Chadsmoor Family Centre

The Leader advised that he had agreed to an urgent report being considered relating to a Request for Financial Assistance – West Chadsmoor Family Centre. The reason for the urgency was that the Centre was facing a £22,000 funding gap for the current financial year and the Trustees have requested that the Council provide this sum as “one off” financial assistance to enable the work of the Centre to continue.

Consideration was given to the Joint Report of the Head of Financial Management and the Head of Housing (Enclosure 18A.1 to 18A.11 of the Official Minutes of the Council).

RESOLVED:

- (A) That the request for “one off” financial assistance of £22,000 in 2011-12 in respect of the West Chadsmoor Family Centre be supported.
- (B) That a further report in relation to the long term sustainability of the Centre be provided following consideration of the “Local Strategic Partnership funding package”.
- (C) That the £22,000 be met by equal contributions from the Housing Revenue Account and the General Fund.

Reason(s) for the Decision

The West Chadsmoor Family Centre has faced a reduction in funding from its traditional funding providers but has identified new sources of funding which will be potentially available from 1 April 2012. There is however a £22,000 “funding gap” for the second half of the current financial year and the Trustees have requested that the Council provide this sum, as “one off” financial assistance, to enable the work of the Centre to continue.

The Centre provides valuable services to the West Chadsmoor community and these would cease unless the 2011-12 “funding gap” is met. In view of this Cabinet may wish to support the West Chadsmoor Family Centre with “one off” financial assistance of £22,000.

Should Cabinet wish to pursue this course of action, it is proposed that the £22,000 is met through equal contributions from the Housing Revenue Account and the General Fund.

Cabinet may wish to consider a further report on the long term funding sustainability of the Centre following consideration of such a package by the Local Strategic Partnerships.

64. 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 Paragraphs 2, 3 and 10 Part 1, Schedule 12A of the Local Government Act 1972 (as amended).

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
CABINET

HELD ON THURSDAY, 15 SEPTMEMBER, 2011 AT 5.45 P.M.

IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 2

65. Elizabeth Road Area Redevelopment Scheme

Consideration was given to the Not for Publication Report of the Head of Housing (Enclosure 20.1 – 20.9 of the Official Minutes of the Council)

RESOLVED:

- (A) That the progress in respect of implementing the Elizabeth Road Redevelopment Scheme be noted.
- (B) That the £537,000 shortfall in site assembly funding be met through:-
 - (a) £68,000 of additional Waterloo Housing Association Finance
 - (b) £10,000 of additional Section 106 monies
 - (c) £379,000 of capital receipts from the disposal of vacant one bedroom bungalows
 - (d) £80,000 of capital receipts from land sales which form part of 2011-12 Housing Revenue Account uncommitted capital resources
- (C) That the £80,000 of capital receipts from the sale of land are transferred from the 2011-12 Housing Revenue Account Capital Programme to the 2011-12 General Fund Programme.
- (D) That the former garage site at Ascot Drive, Cannock be marketed for residential development and subject to a suitable offer being received, that terms and conditions are agreed by the Corporate Director.
- (E) That the capital receipts from the sale of the Ascot Drive site be utilised as a Housing Revenue Account capital resource.

Reason(s) for the Decision

This report provides an update on the progress regarding the implementation of the agreed scheme and addresses a shortfall in available resources which has arisen in respect of the Council's agreed financial contribution.

66. Former Tenants' Arrears Recommended for Write-off

Consideration was given to the Not for Publication Report of the Head of Housing (Enclosure 21.1 – 21.5 of the Official Minutes of the Council).

RESOLVED:

That the former tenant arrears as detailed in Annex 1 of the report be approved for write-off.

Reason(s) for the Decision

There is no reasonable prospect of the Council recovering the debts and so writing them off is the best course of action. A record of the debts would still be kept by the Council and issues would be raised with historic debtors if they contacted Housing Services in the future.

67. Pest Control Service

Consideration was given to the Not for Publication Report of the Head of Environmental Health (Enclosure 22.1 – 22.11 of the Official Minutes of the Council).

RESOLVED:

- (A) That the current arrangements for a cost neutral Pest Control Service be noted.
- (B) That the Pest Control Service proceed to tender with the intention of making rats a free service to the public as a minimum from 1 April 2012.
- (C) Subject to tender prices and affordability consideration be given to whether other elements of the service can be provided free of charge.

Reason(s) for the Decision

A chargeable Pest Control service was introduced on 1 April 2011 in accordance with the Council's approved budget. Cabinet have subsequently requested this report for their further consideration.

The Council is not legally obliged to provide a free, or indeed any, pest control service. However, by not doing so there may be a requirement for additional enforcement work with the attendant resource and financial implications. These cannot be quantified at this time.

68. Unit 3/4, Market Hall Precinct, Cannock

Consideration was given to the Not for Publication Report of the Head of Planning and Regeneration (Enclosure 23.1 – 23.7 of the Official Minutes of the Council).

RESOLVED:

- (A) That option 3 as set out in Section 5.4 of the report be approved.
- (B) That the Corporate Director be authorised to seek to agree the Council's preferred option, including entering into such legal agreements as are considered appropriate;

and, if agreement cannot be reached, in consultation with the relevant Portfolio Leaders, be authorised to commence proceedings in order to relet the unit.

Reason(s) for the Decision

Since December the tenants of Unit 3/4 have only managed to pay a total of £7,000 in rental and service charge payments against invoiced amounts of £34,500 which their accountant ascribes to a sharp downturn in turnover due to the current economic situation. They have requested the Council consider granting a reduction in rent for the remaining 4 years of their lease on the basis it would be better for the Council to have some income than for the shop to stand empty. Based on the current rental of £44,000p.a. this would represent a loss in income of approximately £118,000 over the 4 year period.

If the Council was minded to assist the tenants, the Council could consider offering a rent reduction over a shorter period of time which would be more consistent with assistance provided to other, albeit less well located, shop units in Market Hall Precinct.

Should the Council be minded to refuse the request, given the location of the shop unit on the corner of Market Hall Precinct and Market Hall Street facing Littleton Square, it is considered that there is a reasonable prospect of re-letting the unit albeit that recent evidence indicates that this will be at a lower rent and may take some time to achieve.

Cabinet is therefore asked to consider the following options and determine their preferred course of action:-

1. Agree to the request by the tenant as set out in Para 4.2 of the report.
2. Grant the tenant a rent free period from 29 September to 23 March 2012 and a 50% reduction in rental to 24 December 2012 subject to the tenant clearing the arrears by 23 March 2012. Any further extension beyond this point to be agreed by the Head of Planning and Regeneration in consultation with the Portfolio Leader if deemed expedient and in the Council's interests to do so at the time.
3. Refuse the request and commence forfeiture proceedings to seek to recover the outstanding rent and market the unit.

The meeting closed at 6.45 pm.

LEADER