

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
CABINET

HELD ON THURSDAY, 24 MARCH, 2016 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
Bennett, C.	Crime and Partnerships Portfolio Leader
Mitchell, Mrs. C.	Culture and Sport Portfolio Leader
Dudson, A.	Environment Portfolio Leader
Davis, Mrs. M.A.	Health and Wellbeing Portfolio Leader
Allen, F.W.C.	Housing Portfolio Leader
Todd, Mrs. D.M.	Town Centre Regeneration Portfolio Leader

Councillor G. Alcott, Deputy Leader of the Council and Economic Development and Planning Portfolio Leader, was in the Chair.

89. Apologies,

Apologies were received from Councillors G. Adamson, Leader of the Council, and A. Lovell, Corporate Improvement Portfolio Leader; and R. Kean, Deputy Managing Director and Head of Finance.

90. 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>
-	-	-

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

91. Updates from Portfolio Leaders

None.

92. Minutes of Cabinet Meeting of 1 February, 2016

RESOLVED:

That the Minutes of the meeting held on 1 February, 2016, be approved as a correct record and signed.

93. Forward Plan

The Forward Plan of Decisions for the period March to May, 2016 (Item 5.1 – 5.2 of the Official Minutes of the Council) was considered.

RESOLVED:

That the Forward Plan of Decisions for the period March to May, 2016 be noted.

94. Recommendations of Scrutiny Committees

Cabinet considered the below comments submitted by the Housing Scrutiny Committee held on 7 March, 2016:

“That Members of the Housing Scrutiny Committee express concern with the withdrawal of the Supporting People grant funding of £220,000 at the end of March 2016, and that the Committee intends to monitor the situation over the next 12 months and report back to Cabinet.”

RESOLVED:

That the comments of the Housing Scrutiny Committee made in respect of the withdrawal of Supporting People grant funding be noted.

95. Quarter 3 Performance Report

Consideration was given to the Report of the Head of Governance (Item 7.1 – 7.48 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The performance information and case studies relating to Priority Delivery Plans as detailed in Appendices 1 to 6 of the report be noted.
- (B) The actions and indicators which are rated red or amber be noted, and the remedial action or rescheduled delivery stated to address performance be confirmed.

Reason for Decisions

Information for performance actions and indicators for Quarter 3 (October – December) was included in Appendices 1 to 6 of the report. The ratings provided for these items indicated that 76.6% of actions had been achieved or were on target for success.

96. Priority Delivery Plans 2016/17

Consideration was given to the Report of the Head of Governance (Item 8.1 – 8.25 of the Official Minutes of the Council).

RESOLVED:

That Council, at its meeting to be held on 6 April, 2016, be recommended to adopt the Priority Delivery Plans for 2016/17 and approve them for publication.

Reasons for Decision

The Corporate Plan 2015-18, approved by Cabinet in July 2015, superseded the Council's previous Corporate Plan 2011-14 and set out the revised mission, priorities and strategic objectives of Cannock Chase District Council for the following three years.

The supporting Priority Delivery Plans are the annual documents that set out how the Council will achieve progress against its strategic objectives; these plans establish the actions, performance measures and timetables for delivery that are the basis of the Council's quarterly and annual performance reporting framework.

Prior to consideration of the following matter, the Deputy Leader of the Council and Economic Regeneration and Planning Portfolio Leader and other Cabinet Members took the opportunity to place on record the Council's gratitude to Bob Phillips, LEP Consultant, and former Head of Planning and Regeneration, who was retiring on 31 March, 2016 after more than 40 years' service with the Council. Bob had been instrumental over this time in supporting and eventually leading at Officer level the economic regeneration of the district.

Cabinet also took the opportunity to record the Council's gratitude to John Heminsley, OBE, who would also be retiring shortly, after nearly 37 years of service. John had held a number of senior planning posts in this time and had been gradually reducing his hours over the last three and half years towards retirement.

Bob thanked the Cabinet for their kind words.

97. Civic Centre Car Park

Consideration was given to the Report of the LEP Consultant (Item 9.1 – 9.5 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) Council, at its meeting to be held on 6 April, 2016 be recommended to allocate an additional £150,000 to the Civic Centre Car Park capital scheme.
- (B) Subject to Council agreeing to increase the sum in the capital programme for the conversion and extension of the Civic Centre car park, it be agreed that the scheme as generally shown in Appendix 1 to the report be implemented.
- (C) The Managing Director be authorised to act as necessary to implement the scheme, including entering into agreements and contracts with other bodies with an interest in the proposals; seeking consents as required including planning consent; making orders as required for the new public car park; making provision for alternative staff parking; entering into arrangements, including financial arrangements, for any off-site works

required, including any works to Brunswick Road.

Reasons for Decision

In April, 2015 Cabinet resolved to support the expansion of services planned at Cannock Hospital by the Royal Wolverhampton Hospital Trust (RWT) by the creation of additional public parking at the rear of the Civic Centre. The decision to create additional parking for patients and visitors to the hospital was based on the principle that this commitment to support local NHS services would not be at any increased cost to the Council tax payer. Pay and display income from the public car park would be used to fund the Council's costs.

Council at its meeting in May, 2015 resolved to include a capital scheme in the General Fund Capital Programme of £300,000 to convert and extend the Civic Centre staff car park.

This report sought approval to spend funds in the Capital Programme to implement the expanded car parking scheme. Whilst the scheme and its costs would be refined ahead of implementation, the scheme as planned was more extensive than that on which the original budget was based; and would require additional budget. It was, therefore, resolved that Council be recommended to approve a Capital Programme of £450,000 for the works.

The report sought approval for all the actions required to implement the scheme including seeking planning consent and entering into agreements as required.

98. Revised Local Development Scheme and Process for Overseeing the Development of the Local Plan Part 2

Consideration was given to the Report of the Head of Economic Development (Item 10.1 – 10.26 of the Official Minutes of the Council). The Economic Development and Planning Portfolio Leader moved an amendment to Recommendation 2.2, which was agreed, that:

2.2 Cabinet delegates overseeing the production of Local Plan Part 2 to the Head of Economic Development, working in consultation with a cross-party Member / officer working group of seven elected Members, four of whom should be from the Labour Group; and three from the other Groups on Council, with nominated Cabinet Members including the portfolio holder for Economic Development and Planning, prior to approval of the relevant draft for public consultation by Cabinet and Council.

RESOLVED:

That:

- (A) Council, at its meeting to be held on 6 April, 2016, be recommended to approve the revised Local Development Scheme (as detailed in Appendix 1 to the report) covering the period April, 2016 – March, 2019, so that it can be brought into effect on 6 April, 2016, under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011).
- (B) Oversight of the production of Local Plan Part 2 be delegated to the Head of Economic Development, working in consultation with a cross-party Member / Officer working group of seven elected Members, four of whom should be from the Labour Group; and three from the other Groups on Council, including the Economic Development and Planning Portfolio

Leader, prior to approval of the relevant draft for public consultation by Cabinet and Council.

- (C) The latest population and household projections which show that current local plan provision is not meeting Cannock Chase District's local housing need be noted. The implication of this is that provision over the plan period up to 2028 may need to increase by at least 986 dwellings. This will be tested through the process of developing Local Plan Part 2.

Reasons for Decisions

It was a requirement of the Planning and Compulsory Purchase Act 2004 that a planning authority must prepare a Local Development Scheme (LDS). This must be kept up to date, setting out which Local Development Documents (LDDs) the Council will be producing, the subject matter and geographical area which these covered, and the timetable for their production.

The previous LDS was adopted in October 2012, and hence an updated version was required, covering a three year period from April 2016 to March 2019.

The updated LDS covered the production of key documents including the Local Plan Part 2. Part 1 was adopted in June 2014 and set out the strategic direction and policies for development of the District up to 2028. Part 2 related to detailed site allocations and policy development and Cannock Town Centre Area Action Plan. For completeness, the timescales for production of Supplementary Planning Documents (SPDs) were also included in this LDS. There was no statutory requirement for their inclusion but this approach illustrated how planning policy documents all related to one another.

Production of the Local Plan and other key policy documents was complex, and a number of statutory stages were involved including the need to prepare them for submission to the Secretary of State for independent examination by a Planning Inspector and the need for public consultation. Previously, key planning policy matters were reported to the Economic Development and Planning Policy Development Committee and where required they would also be reported to Cabinet and Full Council.

Since the Council restructured its committees, the process for overseeing the production of the LDDs (i.e. Local Plan Part 2 and the Cannock Town Centre Area Action Plan) needed reviewing, as the committees these matters would previously have been reported to no longer exist.

The replacement committee structure created a challenge for overseeing such policy development, as planning policy was cross cutting and therefore did not have a natural 'home', other than to report to each of the new scrutiny committees which would be a lengthy and unwieldy process. A more streamlined option was to form a cross-party Member / Officer working group who, in conjunction with the Portfolio Leader for Economic Development and Planning, could assist the Head of Economic Development in preparing documents ready for consultation, or, at an appropriately advance stage of the document's production, would be able to approve the document for referral to Cabinet.

99. Design Supplementary Planning Document (SPD) and Local List

Consideration was given to the Report of the Head of Economic Development

(Item 11.1 – 11.148 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The proposed amendments to the Draft Supplementary Planning Document (SPD) contained in Appendix 2 to the report be approved.
- (B) Authority for any further minor amendments to the SPD be delegated to the Head of Economic Development in consultation with the Economic Development and Planning Portfolio Leader.
- (C) The amended design SPD (as detailed in Appendix 1 to the report) be adopted.

Reason for Decisions

The National Planning Policy Framework 2012 (NPPF) placed a strong emphasis on good design in development. One of the core planning principles was that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants. Furthermore, the NPPF defined heritage as including assets identified by the Council e.g. through Local Listing, and national good practice guidance issued by English Heritage in 2012 confirmed the important role of a Local List in celebrating heritage valued by the community. The Cannock Chase Local Plan (Part 1) 2014 which included Policy CP3 Chase Shaping – Design, indicated the intention of producing a Design SPD, and Policy CP15 Historic Environments referred to the preparation of a Local List of locally significant heritage assets. These documents emphasised the need to encourage the local distinctiveness of places which allowed a more local emphasis to design and heritage to be adopted.

A District Characterisation Study was carried out in 2011 and it was resolved at Cabinet in December 2011 (Minute 109 refers) to adopt the Study as part of the Core Strategy Evidence Base, to be used to inform preparation of a Design SPD. In addition, suggestions of buildings to include on a Local List received during the consultation period were resolved to be added to previous suggestions from the community and support be given to preparation of a Local List.

The Draft Design SPD was then considered by Cabinet on 23 April, 2015 when it was resolved that it be approved for consultation and that the consultation responses be reported back to a future meeting to allow for the finalisations and adoption of the Document. The Draft SPD was subject to consultation over a six week period from 12 June to 24 July, 2015. Town and Parish Councils, local developers and agents, local history groups and relevant planning consultees with the Council, the County Council, Staffordshire Police and the Area of Outstanding Natural Beauty (AONB) Unit were all consulted. The Draft SPD was further publicised via a press notice and the Council's website.

Consultees expressed their support for the Document and its objectives, suggesting a number of minor alterations. Appendix 2 set out the main issues raised during consultation and the proposed amendments to the text. Amendments were also made in response to changes to national and local policy contexts; these were also detailed in Appendix 2 to this report. In addition, the format of the Document was updated to improve ease of use and additional illustrations were added.

A number of existing local planning guidance documents will be superseded upon final adoption of this Design SPD including the House Extensions Design Guide 2003 and the Trees, Landscape and Development SPG 1998. The Staffordshire Residential Design Guide (2001) will also be largely superseded by this Design SPD, however Staffordshire County Council Highways could still utilise the 'Access Layout' aspects of the Guide in relation to residential road layouts.

100. Department for Transport / West Midlands Rail Consultation – West Midlands Rail Franchise, December 2015 and Chase Line 'Gateway' Stations Upgrade

Consideration was given to the Report of the Head of Economic Development (Item 12.1 – 12.17 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The actions of the Economic Development and Planning Portfolio Leader, in conjunction with the Head of Economic Development, in responding to the Department for Transport (DfT) Rail Executive on the DfT/West Midlands Rail Consultation – West Midlands Rail Franchise, December 2015, by 22 March 2016, be endorsed.
- (B) A further report be submitted to Cabinet in the event that the DfT do not approve Centro's request to assume funding responsibility for the incremental services under the current funding partnership with Centro and Staffordshire County Council.
- (C) Centro/West Midlands Integrated Transport Authority (WMITA), West Midlands Rail (WMR), Greater Birmingham and Solihull Local Enterprise Partnership (GBLSEP), Stoke-on-Trent and Staffordshire Local Enterprise Partnership (SSLEP), Staffordshire County Council and franchise bidders be asked to support the Council's aspirations for the West Midlands rail franchise detailed in this report.
- (D) The proposed 'Gateway' station strategy to secure additional infrastructure and improved facilities at Cannock, Hednesford and Rugeley Town stations, as detailed in this report, be approved.

Reasons for Decisions

West Midlands Rail Franchise

The DfT, working in partnership with WMR, had sought comments on rail services, station and supporting services running in the West Midlands franchise area and were considering what the next West Midlands franchise operator should deliver.

The views of the public and stakeholders on rail services and stations, for the next West Midlands rail franchise, were being sought on all services currently operated by London Midland under the existing franchise arrangement. This included the 'Chase Line', Birmingham-Walsall-Cannock-Hednesford-Rugeley services (jointly specified by the DfT/WMR) as well as Crewe-Rugeley Trent Valley-Euston, via the West Coast Main Line (specified by the DfT).

WMR represented the region's metropolitan, shire and unitary authorities, and

planned to gain greater influence and control over local rail services from 2017, leading to the creation of a fully devolved West Midlands Rail Contract. It was a partnership of fourteen Metropolitan District, Shire and Unitary local transport authorities, including Staffordshire County Council (Chair), which covered the proposed area of the devolved rail services and would have a greater role in the specification, management and delivery of local rail services in collaboration with the DfT. It was a limited company with a board of directors made up of the leaders or cabinet members of the local transport authorities involved. Representatives from the Local Enterprise Partnerships (LEPs) also attended meetings of the board.

WMR was also going to work alongside the new West Midlands Combined Authority (WMCA) on a wider local devolution package agreed by the West Midlands' Local Authorities and Government in November 2015. This package included a growth deal with an £8 billion, ten year investment plan to drive economic growth and improve local transport.

Rail passenger numbers in the West Midlands had more than doubled from 37 million in 2005/06 to over 78 million in 2013/14, the highest rail growth of any region in the UK. This growth was expected to continue.

The GBSLEP Strategic Economic Plan 2014 included an £8.4m Chase Line Electrification Package, which included linespeed improvement, Gateway station upgrades and improved services. The Chase Line was a strategic priority for the District, and the Council wished to promote upgrades to Cannock, Hednesford and Rugeley Town as 'Gateway' stations through LEP, National Station Improvement Programme (NSIP) and Access for All and other funding streams. A partnership approach was needed, the franchise offering such an opportunity to develop this strategy further. The Council had been funding the Chase Line services, in partnership with Centro and Staffordshire County Council since 1997 to 2007 and from 2010 to the present time.

Station Gateways

The upgrade of Cannock, Hednesford and Rugeley Town stations was included in the GBSLEP Strategic Economic Plan, Programme 2, 2014, as part of the Chase Line Electrification Package.

The package included three elements based on completion of the current £76m Walsall-Rugeley electrification scheme, in December 2017, namely; i) the linespeed upgrade (now fully funded), ii) station Gateways and iii) restoration of half-hourly off peak services.

Cannock station in particular was a priority following the resolution to grant planning permission for the £110m, Mill Green Retail Outlet Village in December 2015. The Council therefore wished to promote this scheme as a partnership with transport stakeholders through a LEP Growth Deal bid or other funding sources that arise.

101. Affordable Housing Delivery

Consideration was given to the Report of the Head of Housing and Waste Management (Item 13.1 – 13.8 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The development of homes for affordable rent (that do not exceed the relevant Local Housing Allowance) on sites that are subject to a S106 agreement for affordable housing be allowed.
- (B) A further report be received when the Housing and Planning Bill has passed through Parliament.
- (C) The current delivery mechanisms that secure the delivery of affordable housing be noted.

Reasons for Decisions

The Developer Contributions and Housing Choices Supplementary Planning Document (SPD) was adopted in June 2015 and was consulted on widely following a high level review of development viability undertaken by Adams Integra in July 2012, which was subsequently updated in July 2014.

The report identified seven key recommendations to inform future affordable housing policy that will were widely consulted on to develop the SPD for Affordable Housing:

- On S106 sites the affordable housing target should be to seek 20% on sites of 15 or more dwellings.
- It is considered appropriate to lower the affordable housing policy threshold and for sites of between 1 and 14 units (inclusive), a financial contribution should be sought and these monies used to fund affordable housing provision elsewhere in the District in partnership with Registered Providers.
- The starting point for negotiation on S106 sites will generally be an expectation of 80% social rent and 20% intermediate tenure.
- Policy should be clearly worded so as to set out genuine targets with the approach acknowledging the role of viability and application of flexibility where required.
- Where a developer considers a site has particular viability issues the developer should put forward a case which will then be subject to independent assessment (the cost of any assessment to be funded by the developer).
- Adams Integra assumed that the majority of schemes in the District should be able to absorb a Community Infrastructure Levy (CIL) rate of £40 per m2 and deliver 20% affordable housing.

As the viability evidence stated that social rent was a viable option on S106 sites the Council had continued to request this tenure. Officers did not have the authority to accept affordable rent as an option even if viability evidence supported the applicants' argument that the site was unviable with social rent or if Registered Providers were unwilling to deliver this product.

Although to date there had only been one request to vary a S106 agreement from provision of social rent to affordable rent there were likely to be more requests in the future. Registered Providers were also facing a 1% rent reduction following the Budget 2015 announcement and reviewing their business plans which may result in them becoming increasingly hesitant to deliver social rent.

If affordable rent did not become an accepted tenure on S106 sites there was a possibility that sites could stall as social rent became increasingly difficult for Registered Providers to deliver.

In November 2015 Brandon Lewis MP, the Minister of State for Housing and Planning wrote to Local Authority Leaders and Chief Planning Officers (as attached as Appendix 1) concerning the delivery of affordable housing. He urged local planning authorities to respond constructively and positively to requests for renegotiations on S106 sites and to take a pragmatic and proportionate approach to viability. The letter also states that:

‘Where it is simply proposed that the tenure mix is adjusted, with the overall affordable housing contribution remaining the same, it is our view that this is unlikely to justify reopening viability by either side’.

Affordable rent units were already being delivered in the District on sites where all of the units are affordable and the site was therefore not subject to a S106 agreement. To date approximately 35 units had been delivered (excluding supported accommodation).

The table below showed the average rents in the District for both social and affordable rent and the Local Housing Allowance.

Property Bed Size	Council Rent per week (District average)	Registered Provider social rent per week (District wide average from HCA data)	Registered Provider affordable rent per week (District wide average from HCA data)	Local Housing Allowance (per week)
1	68.24	74.31	No figures available *	90.90
2	77.43	93.33	100.35	113.92
3	81.40	101.17	111.36	129.47
4	88.15	108.57	No figures available *	170.67

** There are no figures available from the Homes and Communities Agency for 1 beds and 4 beds as no properties of that type have been converted to affordable rent or built in the District for affordable rent to date.*

It was proposed that Officers could agree affordable rent units on S106 sites without the need for a viability assessment but with the commitment from the Registered Provider that the rent to be charged did not exceed the relevant Local Housing Allowance rate (excluding supported housing), applicable for the property at the time of rent setting.

Consideration should also be given by Registered Providers to setting rent levels at below 80 per cent of market rent to take into account local circumstances.

102. Impact of Supporting People Cuts on Housing and the Wider Community

Consideration was given to the Report of the Head of Housing and Waste Management (Item 14.1 – 14.7 of the Official Minutes of the Council).

RESOLVED:

That the contents of this report be noted in relation to the financial impact of the withdrawal of Supporting People grant funding and the mitigating measures that

partner agencies and the Council have taken to keep services operational.

Reason for Decisions

Supporting People grant funding of £220,000 was going to be withdrawn by Staffordshire County Council at the end of March 2016. This was in addition to the £300,000 that was withdrawn in 2014/15.

Withdrawal of Supporting People funding affected the most vulnerable people in the District. Those with the highest needs such as single homeless with support needs or teenage parents could potentially lose their accommodation and support networks.

Partner agencies who manage the affected services in the District have had to re-evaluate their business plans and try and find alternative funding to maintain their projects and support provision. This had not been possible in all cases.

Bromford Housing had confirmed that they will not be in a position to provide a floating support service, post March 2016. To maintain a floating support service to socially excluded groups the Council will provide £30,000 from within the Tenancy Services budget to fund a Tenancy Sustainment Officer. Staffordshire County Council had confirmed that they can match fund the Council's contribution so two Tenancy Sustainment Officers could be recruited. Their funding would link in with the Building Resilient Families and Communities (BRFC) Programme, which was Staffordshire's response to the Government's 'Troubled Families' initiative. As the funding linked with the BRFC programme it would need to be reviewed annually as part of the Payments by Results commissioning process.

103. 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).

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
CABINET

HELD ON THURSDAY, 24 MARCH, 2016 AT 4:00 P.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 2

104. Waste Collection Service and Treatment of Organic Waste

Consideration was given to the Not for Publication Report of the Deputy Managing Director (Item 16.1 – 16.4).

RESOLVED:

That Bloomfield Composting Limited be approved as the preferred contractor for the disposal and treatment of organic garden waste.

Reasons for Decision

Cabinet at its meeting on the 12 November 2015 resolved that:

- (a) Option 2 be approved as the preferred option for the collection / disposal of Organic Waste, with Green Waste being collected separately (all year round) and Food Waste being collected in the residual bin (on an alternate weekly basis).
- (b) In accordance with (A) above:
- (c) Jack Moody Ltd is the preferred contractor for the disposal and treatment of organic garden waste;

The award of the contractor was subject to the statutory 10 day standstill period.

During the standstill period an issue was raised in relation to the tender bid documents. An investigation was undertaken in conjunction with Staffordshire County Council Procurement team and due to an omission of relevant and material information by Jack Moody Recycling Limited it was resolved that their tender should be excluded from the evaluation and award process.

Bloomfield Composting Ltd, who originally came second, as part of the tender process have therefore been awarded the Contract. The annual cost for disposal amounts to £159,440 per annum and is only some £3,440 more than figures approved by Cabinet in November 2015.

The meeting closed at 4.50 p.m.

LEADER