

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
CABINET
WEDNESDAY, 20 OCTOBER, 2010 AT 4.30 P.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK
PART 1

PRESENT: Councillors

Stanley, N.K.	Leader of the Council
Williams, A.	Deputy Leader of the Council and Environment Portfolio Leader
Collis, C.	Corporate Improvement Portfolio Leader
Grocott, M.R.	Culture and Sport Portfolio Leader
Davies, D.	Economic Development and Planning Portfolio Leader
Yates, Ms. W.	Health and Wellbeing Portfolio Leader
Williams, Mrs. P.	Town Centre Regeneration Portfolio Leader

55. Apologies

An apology for absence was submitted on behalf of Councillor M.P. Freeman, Housing Portfolio Leader.

The Solicitor and Monitoring Officer had also submitted an apology.

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

C. Collis	Has business dealings with a property owner affected by the Elizabeth Road redevelopment scheme	Personal
A. Williams	Debtor 101117559 is known to him	Personal

57. Minutes

RESOLVED:

That the Minutes of the meetings held on 2 and 16 September, 2010 be approved as a correct record and signed.

58. Updates from Portfolio Leaders

Environment

The Portfolio Leader reported that the introduction of the new dry recyclable waste bins ("blue bins"), had resulted in a 21% increase in the Council's level of recycling. A further beneficial

side effect was that litter in residential areas appeared to have decreased as a result of there being less uncontained kerbside waste. The Portfolio Leader wished to record his thanks to all involved, including local residents for embracing the scheme in such a positive manner. The Leader of the Council requested that the Director of Service Improvement feedback to a future meeting of Cabinet on the projected financial benefit to the Council of the increased recycling levels and reduced non-recyclable waste.

Health and Wellbeing

1. Staffordshire Health and Wellbeing Strategy - The Portfolio Leader advised that she had attended with the Head of Environmental Health a meeting to consider the final draft of the Strategy, a report on which would be brought back to Cabinet in due course. At the meeting, details of the new Health and Wellbeing Fund were announced; the Fund being to support the development of local issues.

2. Mid Staffordshire NHS Foundation Trust – The Portfolio Leader advised that, following the publication of the Robert Francis inquiry into the care provided by the Trust, the Secretary of State commissioned Professor John Wallwork to review the future clinical strategy for the trust. With other Governors, the Portfolio Leader had attended a meeting led by Professor Wallwork, and the Trust had received the final draft of the Professor's report, which would be considered and on which further consultation would take place with stakeholder groups. The consultation would share the envisaged direction of travel for the Trust, including Cannock and Stafford hospitals, and gather stakeholders views.

59. Forward Plan

Consideration was given to the Forward Plan of Decisions for the period October – December, 2010 (Enclosure 5.1 – 5.2 of the Official Minutes of the Council).

RESOLVED:

That the Forward Plan of Decisions for the period October – December, 2010, be noted.

60. Part 1 Minutes of Policy Development Committees

There were no Part 1 Minutes to be received.

61. Staffordshire Credit Union

Consideration was given to the report of the Director of Culture and Regeneration (Enclosure 7.1 – 7.9 of the Official Minutes of the Council).

RESOLVED:

That consideration of the matter be deferred.

Reasons for the Decisions

The matter was to be considered a part of the general consultation budget setting process.

62. Revised Environmental Health Enforcement Policy

Consideration was given to the Report of the Director of Service Improvement (Enclosure 8.1 – 8.7 of the Official Minutes of the Council).

The Director of Service Improvement advised Members of a typographical error on the report: the text "(Attached as Annex C)" should be removed from the end of paragraph 3.2.

RESOLVED:

That:

- (A) The Environmental Health Enforcement Policy (2010, attached as Annex A to the report, be endorsed and adopted.
- (B) The Director of Service Improvement be authorised to update the policy in respect of minor changes required as a consequence of any changes in legislation or best practice guidance.
- (C) The Director of Service Improvement be requested to coordinate the production of a corporate enforcement policy covering all enforcement activities carried out by the Council.

Reasons for the Decision

The Council's enforcement policy was eight years old, and there had been significant changes in legislation and government guidance in recent years, starting in 2005 with the Hampton Report, which called for risk based inspections. This was followed in 2006 by the Macrory Report on Regulatory Justice, the Regulatory Enforcement Sanctions Act, 2008 and the Regulators' Compliance Code².

The revised Policy fully incorporated this new legislation and guidance, and would ensure that enforcement decisions were made having due regard to the current legal framework, and that any challenges to the Council's decisions could be robustly defended.

63. Car Parking Charges During Christmas Period, 2010

Consideration was given to the Report of the Director of Service Improvement (Enclosure 9.1 – 9.6 of the Official Minutes of the Council).

The Environment Portfolio Leader moved an amendment to the recommendation contained in the report, which was seconded, that:

1. On the two Saturdays prior to Christmas, 2010, car parking charges be charged at the minimum ticket rate for the respective car park being used and that the ticket would cover the vehicle parking for the whole of that day.
2. The Director of Service Improvement be delegated, in conjunction with the Head of Financial Management, to identify from where corresponding savings could be made.

RESOLVED:

That:

- (A) On the two Saturdays prior to Christmas, 2010, car parking charges be charged at the minimum ticket rate for the respective car park being used and that the ticket would cover the vehicle parking for the whole of that day.
- (B) The Director of Service Improvement be delegated, in conjunction with the Head of Financial Management, to identify from where corresponding savings could be made.

Reasons for the Decision

To wholly suspend car parking charges for the two Saturdays prior to Christmas could lead to a significant loss of income in car parking revenue. By setting a minimum ticket rate car parking charge on the two Saturdays prior to Christmas, it was hoped to minimise the effects of the loss of income, while still increasing footfall into the District's town centres. Setting a minimum ticket rate would also have the advantage of avoiding additional expenses incurred as a result of having to have individual ticket machines recalibrated for the two days.

64. Shared Services

Consideration was given to the Report of the Chief Executive (Enclosure 9a.1 – 9a.6 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The Information Technology Support functions listed at Appendix 1 to the report be delegated to the Executive of Stafford Borough Council under Section 19 of the Local Government Act, 2000, and Section 101 of the Local Government Act, 1972 and Regulations made under those Sections with effect from such date as an agreement to carry out the services was entered into.
- (B) The Council be recommended to accept the delegation by the Executive of Stafford Borough Council of the Building Control Functions listed at Appendix 2 to the report to the Executive of Cannock Chase District Council.
- (C) The Building Control Functions delegated under (B) be delegated to the Officers of Cannock Chase District Council in accordance with the scheme of delegation for its own Building Control functions.

Reasons for the Decision

The delegations recommended in the report and a similar report to Stafford Borough Council's Executive were necessary to complete the authority to enter into the shared services arrangements in respect of these services in question.

65. 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 1,2 and 3, Part 1, Schedule 12A of the Local Government Act 1972 (as amended).

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PART 2

66. Debt Recovery

Consideration was given to the Not for Publication Report of the Head of Financial Management (Enclosure 11.1 – 11.6 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The amounts detailed in Annexes 1 to 4 of the report be written off.
- (B) The actions of the Head of Financial Management in writing off the irrecoverable debts below £1,000 be noted.

Reasons for the Decisions

There was no reasonable prospect of the Council recovering the debts and so writing them off was the best conclusion. Should any of the debtors' circumstances change such that the debts became recoverable, the Council's Officers would take the appropriate action to resurrect the debts and recover them.

67. Former Tenants' Arrears Recommended for Write Off

Consideration was given to the Not for Publication Report of the Director of Service Improvement (Enclosure 12.1 – 12.5 of the Official Minutes of the Council).

RESOLVED:

That the former tenants' arrears, as detailed in Annex 1 of the report, be approved for write off.

Reasons for the Decisions

There was no reasonable prospect of the Council recovering the debts and so writing them off was the best course of action.

68. Elizabeth Road Area Redevelopment Scheme – Compulsory Purchase Order (CPO)

Consideration was given to the Not for Publication Report of the Director of Service

Improvement (Enclosure 13.1 – 13.10 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The progress towards the conclusion of a Development Agreement and ancillary documentation with Waterloo Housing Association Limited be noted, and authority given to make a Compulsory Purchase Order in connection with the Elizabeth Road Area Redevelopment Scheme.
- (B) A Compulsory Purchase Order entitled “The Cannock Chase District Council (Elizabeth Road Area) Compulsory Purchase Order 2010” under Section 226(1) (a) of the Town and Country Planning Act 1990 in respect of those properties and land listed in Annex 4 of the report, and shown shaded pink on the indicative plan at Annex 2 of the report, be made. The Compulsory Purchase Order was made in order to facilitate the carrying out of the development, redevelopment and improvement of the area through the Elizabeth Road Area Redevelopment Scheme, as detailed in the report.
- (C) Cabinet was satisfied that the Elizabeth Road Area Redevelopment Scheme would improve the economic, social and/or environmental well being of the area and that making the Compulsory Purchase Order was necessary to achieve this.
- (D) The Director of Service Improvement be authorised to undertake all necessary steps conducive and incidental to the progression of the Compulsory Purchase Order in respect of the above land (or any part thereof) required for the Elizabeth Road Area Redevelopment Scheme.
- (E) The Director of Service Improvement (or anyone appointed by him) be authorised to make any alteration(s) or amendment(s) as was deemed necessary and appropriate to any document, statement or plan relating to and/or required for the Compulsory Purchase Order and the confirmation thereof by the Secretary of State.

Reasons for the Decisions

Following extensive voluntary negotiations there were a small number of cases where there was no meaningful negotiation or owners’ aspirations are unrealistic and it was considered that there was still no certainty that the acquisition of the whole site/remaining areas could be concluded within a reasonable timescale. Therefore, it was necessary that a Compulsory Purchase Order be made.

The meeting closed at 5.05 pm.

LEADER