

**CANNOCK CHASE COUNCIL**  
**MINUTES OF THE MEETING OF THE**  
**CABINET**

**HELD ON THURSDAY, 22 SEPTEMBER, 2016 AT 4:00 P.M.**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**

**PART 1**

PRESENT: Councillors:

Adamson, G.	Leader of the Council
Alcott, G.	Deputy Leader of the Council and Economic Development and Planning Portfolio Leader
Kraujalis, J.T.	Corporate Improvement Portfolio Leader
Mitchell, Mrs. C.	Culture and Sport Portfolio Leader
Preece, J.P.T.L.	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

**42. Apologies**

Apologies for absence were submitted for Councillor C. Bennett, Crime and Partnerships Portfolio Leader.

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

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

**44. Updates from Portfolio Leaders**

Leader

The Leader thanked all Officers and Members who had taken part in the LGA Peer Review last week. Initial feedback from the Review Team was positive overall, with the full report due to be issued by the end of October.

Economic Development and Planning

The Portfolio Leader asked that formal thanks be given from Cabinet to those involved in progressing the Mill Green Designer Outlet Village application through each stage of the process. A lot of hard work and time had been put in

to the scheme, the size of which the Council had never dealt with before.

#### Housing

The Portfolio Leader reported that one of the residents who had been visited as part of the Hillsprings Court housing scheme grand opening had sadly died two days after the event taking place.

#### **45. Minutes of Cabinet Meeting of 25 August, 2016**

RESOLVED:

That the Minutes of the meeting held on 25 August, 2016, be approved as a correct record and signed.

#### **46. Forward Plan**

The Forward Plan of Decisions for the period September to November, 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 September to November, 2016 be noted.

#### **47. Recommendations of Scrutiny Committees**

None received.

#### **48. Consultation on the Financial Recovery Plan**

Consideration was given to the Joint Report of the Managing Director, Head of Finance and Policy & Performance Manager (Item 7.1 – 7.42 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The Financial Recovery Plan (which includes the potential savings options for public consultation) as set out in Appendix 1 to the Report, be approved.
- (B) It be noted that the outcome of the consultation will feed into a Draft Budget for consultation in December 2016, in advance of the formal budget setting for 2017/18 onwards.

#### Reasons for Decisions

Cabinet at its meeting of the 21 July 2016 received a report that provided a Budget Update outlining the Council's proposed Financial Recovery Plan, including a Budget Strategy and Timetable based upon an updated General Fund Revenue Budget for 2016-17 to 2019-20.

Cabinet had previously at its meeting on 1 February 2016 made its recommendations to Council in relation to the 2016-17 Budget, and set a balanced budget for 2016-17 and 2017-18 having identified a material deficit in 2018-19. The announcement of the premature closure of Rugeley Power Station (RPS) necessitated a revised Budget being approved by Council with working balances being used to offset the £700,000 reduction in business rates income

in 2016-17 with the power station ceasing production on 8 June 2016. The ongoing full year loss of business rates for the Council amounted to over £1 million per annum which represented a loss of 25% of income from retained business rates.

In light of the closure of Rugeley Power Station, the Council requested transitional funding from the Government pending the opening of the proposed Mill Green Retail Outlet Centre. Following a meeting with the Parliamentary Secretary of State and civil servants on 11 July 2016, the Council was informed that transitional funding was no longer available and no mechanism existed to provide such funding to take account of the Council's unusual circumstances.

The lack of any Transitional Funding support from Government meant that the Council had to address an immediate deficit of £0.700 million in the current year, a projected deficit that peaks at £2.15 million in 2018-19 with an ongoing deficit of £1.6 million from 2019-20 onwards (subject to the proposed Mill Green Retail Outlet Centre being opened on time).

Cabinet at its meeting in July 2016 approved the development of a Financial Recovery Plan and timeline to address this deficit position. The development of the Financial Recovery Plan included some early engagement with partners /organisations in receipt of funding /concerned with service provision to make them aware of the Council's predicament and to get early comments on options and timescales for consideration by Cabinet.

The attached Financial Recovery Plan included a range of potential options prepared by officers reflecting the Council's Budget Strategy and its priorities and objectives. The Financial Recovery Plan presented potential financial savings options that included all the services of the Council with the exception of the recently let Refuse and Recycling Waste Contract. The options were presented under the following categories:

- Capitalisation / Use of Reserves;
- Optimisation & Transformation;
- Reductions in Management Costs;
- Shared Services;
- Democratic / Governance options;
- Reductions in Corporate and Support Services ;
- Reduction in funding to external bodies and
- Reductions in Frontline services to the Public and Income Generation proposals.

The total saving options presented for consultation amounted to some £2.1 million per annum in a full year and were in excess of the £1.6m minimum savings requirement. This meant that not all options would be selected and that meaningful public consultation could take place on what the final set of options would be to achieve the minimum £1.6m savings. The consultation period was from 23 September 2016 to 6 November 2016. If there were any Government policy decisions, such as those that may arise from the Autumn Statement in the meantime that increased our savings target, these would need to be considered alongside the outcomes of the public consultation. Statutory consultation would also need to take place with any Council staff and other staff in bodies funded by

the Council who may be at risk of redundancy from all options and any issues raised from that consultation would also need to be considered.

The outcome of the consultation plus any further Government announcements would be taken account of in a Draft Budget for consultation in December in advance of the formal budget setting timeline. Formal decisions would be taken in early 2017.

The Council volunteered for an external Peer Review as part of its approach to the Financial Recovery Plan. This was co-ordinated by the Local Government Association and consisted of a team of peers (Elected Members and Officers) spending three days in the organisation during September 2016. The Peer challenge was commissioned to provide an external check and reassurance that what the Council was doing, and planning to do, looked relevant and realistic – particularly in terms of the strategy for realising savings and achieving a balanced budget over the medium and longer term to enable future financial viability and sustainability.

**49. Hednesford Town Centre Regeneration: Proposed Parking Order: Car Park to the Rear of the Co-op**

Consideration was given to the Joint Report of the Head of Housing & Waste Management and Head of Economic Development (Item 8.1 – 8.7 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) Approval be given to the principle of introducing a Parking Order to limit the use of the Council owned car park to the rear of the Co-op store in Anglesey Street, Hednesford, as a short stay car park for the benefit of visitors to Hednesford Town Centre (as illustrated on the plan shown in Appendix 1 of the Report).
- (B) The implementation of the Parking Order be subject to the outcome of a formal consultation process which will include users of the car park and key stakeholders such as Hednesford Town Centre and the Traders of Hednesford.
- (C) The Managing Director be authorised to take those actions necessary to support the implementation of the Order, compliance with the associated legal process and arrangements for its enforcement thereafter.
- (D) The implementation of any Parking Order should be conditional upon the introduction of appropriate on-street parking restrictions on nearby sections of Anglesey Street by the Highways Authority, and the continued availability of appropriate long-stay parking provision with the town centre.
- (E) Employees of the Co-operative store be given the opportunity to obtain permits (either free of charge or at a cost); or the Council provides a number of long-stay spaces within the car park to enable parking for longer than the four hours limit.

### Reasons for Decisions

The Hednesford Town Centre Regeneration Scheme resulted in a significant increase in visitors to the town centre each day. As a consequence patronage of the car parking facilities within the town centre also increased. Whilst the car parking capacity was more than adequate to meet demand, with approximately 1,000 car parking spaces available within the town centre as a whole, the demand for car parking capacity was uneven, with demand exceeding supply at certain times of the day in some locations.

As a consequence a Parking Order was introduced on the Council's section of the Rugeley Road car park in December 2013, with a four hours limit imposed between 8:00am and 3:00pm Mondays to Saturdays.

However, the steady increase in regular visits to the town centre, combined with continued investment such as the opening of the Hednesford Inn by J.D. Wetherspoon, had resulted in increased use of the car park to the rear of the Co-op store. Surveys also established that a significant number of vehicles in this car park belonged to commuters catching the train at the adjacent railway station. The incidences of 'fly-parking' by commuters were expected to increase as a consequence of the new housing planned in the Hednesford area over the next decade or so. In the absence of parking charges to manage the situation, the only practical solution appeared to be to introduce a second Parking Order in Hednesford Town Centre to ensure that adequate short-stay car parking was available in that location.

### **50. Cannock Town Centre Area Action Plan (AAP) Consultation Procedures**

Consideration was given to the Report of the Head of Economic Development (Item 9.1 – 9.55 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The Cannock Town Centre Vision Area Action Plan (AAP) Issues and Options paper be approved for the purposes of consultation.
- (B) The Head of Economic Development, in consultation with the Portfolio Leader, be authorised to agree the details of the consultation process, make minor modifications to the Issues and Option Paper and to prepare a report on the comments received and proposed responses thereafter.
- (C) The Head of Economic Development, in consultation with the Portfolio Leader, be authorised to agree the details of subsequent consultations required to support the production of the AAP.

### Reasons for Decisions

In September 2015 Cabinet approved a report entitled "Cannock Town Centre: Future Positioning" which had been prepared by GVA to identify how the Council and its partners should proceed in pursuing future investment opportunities in the town centre. One of the key recommendations was that Part 2 of the Cannock Chase Local Plan should include an Area Action Plan (AAP) for Cannock Town Centre which would create a formal planning context to support growth and change in the town centre up to 2028.

In response to this a competitive process resulted in the appointment of WYG in March 2016 to work with the Council to produce an AAP for Cannock Town Centre. The AAP needed to be treated in a similar way to the Cannock Chase Local Plan Part 2 and formed part of the Local Development Scheme (LDS). The revised LDS was considered and approved by Cabinet in March 2016 (Minute 98 refers).

Work on the AAP had progressed to the point where an Issues and Options Paper was produced by WYG (attached at Appendix 1 to the Report) and the views of stakeholders were required. Before the proposed consultation could proceed, it was necessary for the Council to confirm that it wished to proceed with such a consultation. Such confirmation was required in order to satisfy Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

**51. 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 22 SEPTEMBER 2016 AT 4:00 P.M.**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**

**PART 2**

**52. Debt Recovery**

Consideration was given to the Not for Publication Report of the Head of Finance (Item 11.1 – 11.18 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The amounts detailed in Appendices 1, 2 and 3 of the Report be written off.
- (B) The actions of the Head of Finance in writing off irrecoverable debts below £1,000 be noted.

Reasons for Decisions

*Council Tax*

Set out in Appendix 1 to the Report was a list of Council Tax arrears over £1,000 which could not be collected for the reasons stated. Included in this Appendix were 18 cases with arrears totalling £40,071.76.

The amount of Council Tax charged in the financial year was £43,410,568.23 and so the amount of debt recommended to write-off in the Report represented only 0.09% of one year's charges.

All of the amounts written-off would be charged against the provision for bad debts.

*Non-Domestic Rates*

Set out in Appendix 2 to the Report was a list of Non-Domestic arrears over £1,000 which could not be collected for the reasons stated. Included in this Appendix were 23 cases with arrears totalling £227,454.38.

The amount of Business Rates charged in the financial year was £37,634,836.53 and so the amount of debt recommended for write-off in the Report represented only 0.6% of one year's charges.

Some of the Business Rates debts were being recommended for write-offs on the grounds of insolvency of the companies that previously occupied properties. It was not uncommon in these circumstances for the properties concerned to be re-occupied fairly quickly by new companies often with similar names to the

insolvent organisation. It often therefore appeared that the company had continued to trade, though this was not the case.

Where this situation occurred, the new occupier was an entirely separate legal entity to the previous occupant and could not be held liable for rates due from the insolvent company. Members could be assured that such debts were only submitted for write-off when Officers were sure that they could not be recovered.

### *Housing Benefits Overpayments*

Set out in Appendix 3 to the Report was a list of Housing Benefits Overpayments with arrears over £1,000 which could not be collected for the reasons stated. Included in the Appendix were 10 cases with arrears totalling £52,927.89.

## **53. Pest Control Service**

Consideration was given to the Not for Publication Report of the Head of Environmental Health (Item 12.1 – 12.6 of the Official Minutes of the Council).

### **RESOLVED:**

That a limited pest control service be provided to residents with free rat and mice treatments and charges applied to all other treatments offered.

### Reasons for Decision

The current contract awarded in 2014 was scheduled to expire on 31 March, 2017.

The contractor indicated that during the period of the contract the level of losses incurred year-on-year were increasing and in the first 5 months of the current financial year had reached a point that could not be sustained.

The company had an option to withdraw from the contract having given the Council a 3 month notification period.

There was limited scope to negotiate an adjustment of the contract specification or fee that would enable the contractor to continue to provide the service until its scheduled expiry date.

Preparations were being made to re-tender the pest control service with an intended commencement date of 1 April, 2017. However, it would be necessary to re-tender the contract earlier if Notice was received from the company.

An interim arrangement may be required to extend the existing arrangement in the event that the re-tendering process was not completed by the end of the 3 months notification period.

The contractor was being paid quarterly in arrears and should the contract be terminated before 1 January, 2017 the Council would not be obliged to pay the remaining quarterly fee. The outstanding funds would be available to meet the cost of any interim agreement or new contract.

The likelihood of engaging a new contractor to deliver the contract on the current basis at the same or a lower price was negligible. It was considered that an increase in funding to maintain the same level of service or a reduction in the range of free services on offer would be required if funding was not increased.

Additional funding may be secured by either an uplift in the budget for the service or alternatively by increasing the range of treatments in respect of which a charge was made.

The Council was not required by law to provide a pest control service. Its statutory duty extended to the control of rats and mice, which may be discharged by the use of enforcement powers against those responsible for rodents infestations conferred by the Prevention of Damage by Pests Act 1949. However, savings on the cost of a pest control contract would be significantly reduced by the cost of additional enforcement activity.

*Under paragraph 3.6 of the Scrutiny and Call-In Procedure Rules (Part 4, Section 31 of the Constitution) this item was requested to be exempt from call-in for reasons of urgency. The request was not unanimously agreed to by all of the Political Groups Leaders and therefore a meeting of the Environment Scrutiny Committee was arranged for 29 September, 2016 to consider this matter in more detail and without the need for the normal call-in process to be followed.*

The meeting closed at 4:30 p.m.

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LEADER



**CANNOCK CHASE COUNCIL**

**MINUTES OF THE MEETING OF THE  
PLANNING CONTROL COMMITTEE**

**WEDNESDAY 21 SEPTEMBER, 2016 AT 3.05 P.M.**

**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**

**PART 1**

PRESENT:  
Councillors

Cartwright, Mrs. S.M. (Chairman)  
Pearson, A. (Vice Chairman)

Burnett, G.	Hoare, M.W.A.
Cooper, Miss J.	Lea, C.I.
Dean, A.	Preece, J.P.T.L.
Dudson, Miss M.	Snape, D. (substituting for Snape, P.)
Freeman, Miss M.	Sutherland, M.
Grice, Mrs. D.	Witton, P.
Grocott, M.	

(The start of the meeting was slightly delayed due to the site visits running over).

**29. Apologies**

Apologies for absence were received from Councillor P. Snape.

(Notification had been received that Councillor D. Snape would be in attendance as substitute for Councillor P. Snape).

**30. Declarations of Interests of Members and Officers in Contracts and Other Matters and Restriction on Voting by Members**

<b>Member</b>	<b>Interest</b>	<b>Type</b>
Cartwright, Mrs. S.M.	Application CH/16/100, land to rear of 19 & 21 Queen Street, Hednesford – residential development: proposed erection of 1 no. detached dwelling and associated works – Member knows the applicant who is a fellow Member of Hednesford Town Council	Personal
Grice, Mrs. D.	Application CH/16/100, land to rear of 19 & 21 Queen Street, Hednesford – residential development: proposed erection of 1 no. detached dwelling and associated works – Member knows the applicant who is a fellow Member of Hednesford Town Council	Personal

Pearson, A.                      Application CH/16/100, land to rear of 19                      Personal  
& 21 Queen Street, Hednesford – residential  
development: proposed erection of 1 no.  
detached dwelling and associated works –  
Member knows the applicant who is a fellow  
Member of Hednesford Town Council

**31. Disclosure of lobbying of Members**

Nothing declared.

**32. Minutes**

RESOLVED:

That the Minutes of the meeting held on 10 August, 2016 be approved as a correct record and signed.

**33. Members' Requests for Site Visits**

RESOLVED:

That a site visit be undertaken in respect of Application CH/16/335 – Residential development: Proposed erection of 1 no. dwelling and associated works, land to North of 270 Norton East Road, Norton Canes.

Reason: to assess highways implications

**34. Application CH/16/098, 251 Hednesford Road, Heath Hayes, Cannock - Proposed two storey side extension and alterations to front elevation**

That the application was withdrawn.

**35. Application CH/16/100, Land to rear of 19 and 21 Queen Street, Hednesford, Cannock – residential development: proposed erection of 1 no. detached dwelling and associated works**

Following a site visit consideration was given to the report of the Development Control Manager (Item 6.15 – 6.31 of the Official Minutes of the Council).

Prior to consideration of the application representations were made by Mrs. Dallaway (an objector).

In response to concerns raised the Development Control Manager advised that should permission be granted a condition requiring a contamination survey to be undertaken was being proposed and, if necessary, a remediation plan would be submitted and approved prior to the commencement of any works.

RESOLVED:

That the application be approved subject to the conditions contained in the report for the reasons stated therein.

**36. Application CH/16/241, Garage Court at Brunswick Road, Cannock – 4 no. semi-detached two bedroom dwellings**

Following a site visit consideration was given to the report of the Development Control Manager (Item 6.32 – 6.47 of the Official Minutes of the Council).

Prior to consideration of the application representations were made by Heather Sutton (Applicant's architect).

The Development Control Manager advised that with regard to the amended plans he could confirm that the rear facing gardens on two of the properties now met the required 10m standard.

RESOLVED:

That the application be approved subject to the conditions contained in the report for the reasons stated therein and to the following additional condition:-

"No development shall commence until a scheme for the incorporation of bird and bat boxes into the approved development has been submitted to and approved by the Local Planning Authority.

Thereafter the approved scheme shall be implemented before the development is brought into use".

Reason: In the interests of promoting wildlife in accordance with the NPPF.

**37. Application CH/16/112, 46 Chenet Way, Cannock – Proposed extension to front including bay window and detached garage to front**

Following a site visit consideration was given to the report of the Development Control Manager (Item 6.48 – 6.63 of the Official Minutes of the Council).

Prior to consideration of the application representations were made by Mr. Spooner (an objector) and Mr. Simcox (the applicant).

RESOLVED:

That the application be approved subject to the conditions contained in the report for the reasons stated therein.

The meeting closed at 4.10 p.m.

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CHAIRMAN



**CANNOCK CHASE COUNCIL**

**MINUTES OF THE MEETING OF THE  
PLANNING CONTROL COMMITTEE**

**WEDNESDAY 12 OCTOBER, 2016 AT 3.00 P.M.**

**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**

**PART 1**

PRESENT:  
Councillors

Cartwright, Mrs. S.M. (Chairman)  
Pearson, A. (Vice Chairman)

Dean, A.	Lea, C.I.
Dudson, Miss M.	Preece, J.P.T.L.
Freeman, Miss M.	Snape, P
Grice, Mrs. D.	Sutherland, M.
Grocott, M.	Witton, P.
Hoare, M.W.A.	

**38. Apologies**

Apologies for absence were received from Councillor G. Burnett and his substitute for the meeting, Councillor D. Snape.

**39. Declarations of Interests of Members and Officers in Contracts and Other Matters and Restriction on Voting by Members**

<u>Member</u>	<u>Interest</u>	<u>Type</u>
Dudson, Miss M.J.	Application CH/16/251, 3 Pool Meadow Close, Rugeley, Proposed extension to side and rear - Member knows the speaker on a personal level	Personal and Pecuniary
Grocott, M.	Application CH/16/251, 3 Pool Meadow Close, Rugeley, Proposed extension to side and rear - Member knows the objector from No. 1 who the speaker made reference to whilst making his representations	Personal and Pecuniary

**40. Disclosure of lobbying of Members**

Nothing declared.

**41. Minutes**

RESOLVED:

That the Minutes of the meeting held on 21 September, 2016 be approved as a correct record and signed.

**42. Members' Requests for Site Visits**

None

**43. Application CH/16/251, 3 Pool Meadow Close, Rugeley - Proposed extension to side and rear**

Having declared a personal and pecuniary interest Councillor Miss M. Dudson left the meeting and took no part in the decision making process with regard to this application.

Following a site visit consideration was given to the report of the Development Control Manager (Item 6.1 – 6.15 of the Official Minutes of the Council).

Prior to consideration of the application representations were made by Mr. Thomas who was objecting to the application. Mr. Thomas also read out the objections of Mr. and Mrs. Bushnell who lived at No. 1 Pool Meadow Close.

Once the objector had made reference to Mr. and Mrs. Bushnell Councillor M. Grocott declared a personal and pecuniary interest, left the meeting and took no part in the decision making process with regard to this application.

RESOLVED:

That the application be approved subject to the conditions contained in the report for the reasons stated therein.

*(Councillors Miss M. Dudson and M. Grocott returned to the room and were present for the remainder of the meeting).*

**44. Application CH/15/0395, Land rear of 854 & 856 Pye Green Road, Hednesford – Proposed erection of 3 no. dwellings with new access road and demolition of garage**

Following a site visit consideration was given to the report of the Development Control Manager (Item 6.16 – 6.32 of the Official Minutes of the Council).

Prior to consideration of the application representations were made by Mr. Westnidge, who was objecting to the application and Mr. Cotton, who was speaking in favour of the application. Mr. C. Garner, the Council's Tree Protection Officer outlined the position in relation to the TPO'd tree.

RESOLVED:

That the application be refused for the reasons outlined in the report.

**45. Application CH/13/0020, 71 Burntwood Road, Norton Canes – Outline planning permission for erection of 65 no. houses and associated works (outline: access and layout) and retention of 71 Burntwood Road**

Following a site visit consideration was given to the report of the Development Control Manager (Item 6.33 – 6.63 of the Official Minutes of the Council).

The Development Control Manager provided the Committee with an update and explained that the Housing Strategy Officer had reviewed the advice given which was outlined at Item No. 6.44 of the report. Affordable Housing was no longer required to meet Level 3 of the Code for Sustainable Homes. The recommended dwelling size was now 10% 1 bed flats, 60% 2 beds, 25% 3 beds and 5% 4 beds. As the scheme is providing 3 and 4 bedroom properties the proposed mix of Affordable housing is 12 x 3 bed houses and 1 x 4 bed roomed house (13 units in total).

In addition the Officer updated the information on the Education contribution which was outlined at Item No. 6.57 and 6.58 of the report. He explained that the Education Authority had previously asked for a financial contribution of £154,434 for Education. Education infrastructure was now part of CIL and financial contributions should therefore generally not be requested through Section 106 Obligations. However the Education Authority have confirmed that there is nothing in the Regulation 123 (R123) list with regard to education in Norton Canes. This application dates back to 2013 and the Education Authority gave its advice in 2013 and 2014 prior to CIL and the R123 list being adopted in June 2015. The Education Authority mention that at least two Section 106 Agreements for large sites in Norton Canes were completed before CIL was adopted which contain contributions to education in Norton Canes. It is reasonable to assume that they would have expected that the Section 106 Agreement relating to this application would have been completed before June 2015 and that for this reason no education requirement was included in the R123 list. On balance the Education contribution was therefore still supported on this application. The applicant may come back with a viability assessment to demonstrate that the scheme is not viable with all the Section 106 contributions being sought. However, should this happen the Committee would be asked to reconsider it.

**RESOLVED:**

- (A) That the applicant be requested to enter into an amended Agreement under Section 106 of the Town and Country Planning Act, 1990 to secure:-
- (a) A 20% Affordable housing contribution (based on 80% social rent and 20% shared ownership. The proposed mix is 12 x 3 bed houses and 1 x 4 bed roomed house);
  - (b) Provision of and the maintenance of proposed pedestrian/cycle paths, public open space (including balancing pond) and the reptile habitat (arrangements and on-going maintenance costs to be agreed between the Local Planning Authority and the applicant);
  - (c) A financial contribution of £154,434 towards Education
- (B) That on completion of the Agreement the application be approved subject to the conditions contained in the report for the reasons stated therein.

*(Councillors M.W.A. Hoare and J.P.T.L. Preece requested that their names be recorded as having voted against this decision).*

The meeting closed at 4.15p.m.

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CHAIRMAN

**CANNOCK CHASE COUNCIL**  
**MINUTES OF THE MEETING OF THE**  
**CUSTOMERS AND CORPORATE SCRUTINY COMMITTEE**  
**HELD ON WEDNESDAY 27 JULY, 2016 AT 4.00 P.M.**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**  
**PART 1**

PRESENT:  
Councillors

Dudson, Miss M.J. (Chairman)  
Snape, P.A. (Vice-Chairman)(Substitute)

Burnett, G.	Grocott, M.R.
Freeman, Miss M.A.	Martin, Mrs. C.E.
Foley, D.	Pearson, A.R.
Grice, Mrs. D.	Sutherland, M.

Also in attendance:

- Councillor G. Adamson (Leader of the Council, Observer).
- Councillor Mrs M.A. Davis (Health and Wellbeing Portfolio Leader, Observer).
- Councillor J.T. Kraujalis (Corporate Improvement Portfolio Leader, Observer).

**1. Apologies**

Apologies for absence were received for Councillors D.J. Snape (Vice-Chairman), W.M.A. Hardman and C.D. Smith.

Councillor P.A. Snape was in attendance as substitute for Councillor D.J. Snape.

**2. Declarations of Interests of Members in Contracts and Other Matters and Restrictions on Voting by Members and Party Whip Declarations**

No declarations of interests or party whip declarations were received.

**3. Minutes**

Minute No. 22 – Technology Strategy

A Member requested a progress update on this item. The Head of Governance advised that an early draft version had been considered by Leadership Team and that once the updated version had been produced, it would be circulated to Officers and Members for comment.

RESOLVED:

That the Minutes of the meeting held on 4 April, 2016 be approved as a correct record and signed.

#### **4. End of Year Performance Report 2015-16 – Customers Priority Delivery Plan**

Consideration was given to the Report of the Head of Governance (Item 4.1 – 4.12 of the Official Minutes of the Council).

##### Use of Online Forms / E-Payments Transactions

A Member queried what plans the Council had in place to encourage residents to make greater use of online payment facilities given the monetary savings that were achieved by using such methods when compared to making payments over the phone. The Head of Commissioning replied that the online forms system was only introduced in quarter 3, so there was still more work to be done to move people away from telephone payments. The Council's mobile app had however recently gone live which should help to reduce telephone contact, although at the present time its usage was limited to reporting of household waste collection issues.

Another Member commented that the proposed annual target of 5,000 transactions via the e-payments and automated telephone payments systems was too low and should be set at 5,500 for it to be a meaningful target. The Head of Governance replied that this target figure had been discussed with relevant Officers; however it was considered that payments via direct debit were a more efficient and cost effective method for the Council to utilise. A Member then requested that the number of payments made via direct debit be included in future performance reports for comparison purposes.

##### Asset Management Plan (AMP)

A Member requested to know when the AMP would be coming forward to the Committee for consideration. The Head of Governance replied that she would have to speak with the Head of Economic Development to determine when this was likely to happen.

Another Member then requested an update on the work undertaken to evaluate opportunities for maximising the return from property and land assets. The Head of Governance replied that a response from the Head of Economic Development would also be required on this topic.

##### Shared Services

A Member queried if all current shared services were meeting the standards expected when they were first established. The Head of Governance replied that all such services were operating as intended.

Other Members then commented that as part of the Council's proposed savings options, it was important to consider implementing further shared services arrangements where feasible to do so.

RESOLVED:

That the performance information relating to the Customers PDP, as detailed at Appendix 1 of the Report, be noted.

## **5. Customers & Corporate Scrutiny Committee Work Programme 2016-17**

Consideration was given to the Joint Report of the Head of Commissioning and the Head of Governance (tem 5.1 – 5.5 + Appendices of the Official Minutes of the Council).

RESOLVED:

That the following items be approved for inclusion on the Committee's work programme for 2016/17:

- (A) 2017/18 Budget Plans (to include an additional meeting of the Committee to be held during the six week consultation period on the Cabinet's proposed savings options for next year's budget);
- (B) Review of Community Engagement (rolled over from 2015/16) – to be undertaken by a working group of Members from the four Cannock based wards, comprised of Councillors Cooper, Freeman, T. Johnson and Smith;
- (C) Review of Citizens' Advice Bureau (CAB) Service Level Agreement (rolled over from 2015/16) – to be scheduled towards the end of the municipal year following completion of the 2017/18 budget process.

The meeting closed at 4:50pm

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CHAIRMAN



**CANNOCK CHASE COUNCIL**  
**MINUTES OF THE MEETING OF THE**  
**HEALTH SCRUTINY COMMITTEE**  
**HELD ON TUESDAY 6 SEPTEMBER, 2016 AT 4:00 P.M.**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**  
**PART 1**

PRESENT: Councillors:

Freeman, Miss. M.A. (Chairman)  
Sutton, Mrs. H.M. (Vice-Chairman)

Allt, Mrs. A.	Johnson, T.B.
Cooper, Miss. J.	Martin, Mrs. C.E.
Dudson, Miss. M.J.	Smith, C.D.
Dean, A.	Woodhead, P.E.
Johnson, J.P.	

Also present:

Staffordshire County Council Co-opted Member Councillor Mrs. D. Todd  
Independent Co-opted Member: Elizabeth Learoyd, Advocacy Manager, Healthwatch  
Staffordshire

Observing:

Councillor Mrs. M.A. Davis, Health and Wellbeing Portfolio Leader.  
Councillor Mrs. C. Mitchell, Culture and Sport Portfolio Leader

**9. Apologies**

Apologies for absence were received from Councillor Mrs. S. M. Cartwright.

**10. Declarations of Interests of Members in Contracts and Other Matters and Restrictions on Voting by Members**

Member	Nature of Interest	Type
Allt, Mrs. A.	Employed by County Hospital, Stafford	Personal

No declarations of interests in addition to those already confirmed by Members in the Register of Members Interests were made.

**11. Minutes**

Page 2, Minute 3. Work Programme – Defibrillator

Steve Shilcock, Head of Environmental Health advised that he was currently making enquiries regarding the issues around the defibrillator.

Page 2, Minute 3. Work Programme – Arthritis Care Group – Royal Wolverhampton Hospitals NHS Trust (RWHNHS)

A Member reported that she had been approached by the Atherosclerosis Care Group who had recently had discussions with the RWHNHS Trust and had been informed that they would have to pay for some services used. Contact was made with MP Amanda Milling for support on this and the Chair of the Group who was also looking into this. The Member concerned would raise this at the regular Trust meeting.

Page 3, Minute 8. Health Scrutiny Committee Work Programme 2016-17 – Adult Disabled Adaptations

The Head of Environmental Health advised Members that the individual case alluded to at the last meeting had now had the grant approved and the required works would be completed as soon as possible. With regard to the Home Improvement Agency (HIA) the contract would expire on 31 March, 2017 and the County Council had the discretion to extend it for a further 12 months. However, if they did not extend it, a new HIA provider would need to be procured. He advised that the Council was currently looking at contingency procedures in the event of there being problems with this process.

RESOLVED:

That the Minutes of the meeting held on 26 July, 2016 be approved as a correct record.

At this point the Chairman reported that she would be considering an additional item which would be taken under Item 8. on the Agenda regarding the recent press release concerning the suspension of Accident and Emergency Services to under 18s at County Hospital, Stafford.

**12. Quarter 1 Performance Report 2016-17 – Better Health Priority Delivery Plan**

Members considered the Quarter 1 Performance Report 2016-17, Better Health Priority Delivery Plan (Item 4.1 – 4.3).

Members noted the contents of the Quarter 1 Performance Report 2016-17, Better Health Priority Delivery Plan.

**13. Inspiring Healthy Lifestyles (WLCT) – Targeting and Promotion of, and Engagement with Activities and Services**

The Chairman and Members welcomed Chris Derbyshire, Head of Business Development to the meeting who gave a presentation.

The Chairman reported that she had received positive feedback with regard to

Footgolf. She then asked about the closure of the café at the Chase Leisure Centre and whether there were any plans to re-open it.

Chris Derbyshire reported that there were currently no plans to re-open the café as there was not enough income generated. However, it may be something that could be considered again in the future.

Members discussed the active referral scheme and referred to problems with the scheme in the past and were keen to know what was being done differently now to have more of a positive impact.

Chris Derbyshire reported that Inspiring Healthy Lifestyles had received some funding from McMillan which supported the programme, and he also commented that having a good relationship and support of GPs had helped with the scheme.

With regard to a number of questions raised by a Member, he reported that Inspiring Healthy Lifestyles would try to work with and develop a policy for voluntary sector working, and commented that the Well Active programme was always being considered where it could be developed further.

Members referred to the Well Active programme and were keen to see what the use was for those people with learning difficulties. A Member commented that 50/60 people were attending regularly on Fridays; however, the Member was advised to contact the Officer separately regarding this.

A Member referred to a recent Cabinet report and the satisfaction levels with regard to junior golf and attendance levels.

Chris Derbyshire reported that whilst every effort was made to engage junior golf, including that with schools it was also a difficult game for those who were non-players. Therefore, Footgolf was introduced to try and attract new people to a sport which combined football and golf.

With regard to questions regarding the Museum of Cannock Chase, it was reported that the reduction in visits was directly linked to schools and a change in the curriculum.

The Chairman and Members thanked Chris Derbyshire for attending the meeting.

#### **14. Provision of Free Leisure Activities for Ex-Service Personnel – Discussion**

Chris Derbyshire reported that the current membership for the scheme which operated for ex-service personnel was 130 with a small cost to Inspiring Healthy Lifestyles each life.

He advised that he had made contact with the Royal British Legion with a view to see how the scheme could be promoted.

The Culture and Sport Portfolio Leader relayed the importance of working together and advised that if any Members thought there were issues surrounding the leisure services, they were welcome to contact her as concerns could be raised at the

monthly contract meeting if needed.

## **15. Healthwatch Staffordshire – Update**

Elizabeth Learoyd, Advocacy Manager reported that Healthwatch were trying to engage with more people. An Engagement Officer had been to Hednesford Fire Station, the Leisure Centre and Hospitals trying to promote the services.

She reported that 13% of referrals to the advocacy service were from Cannock and 1100 calls were received from residents in the Staffordshire area.

It was reported that there were a variety of issues that were of concern to residents which included health services outside of the area, wheelchair services, West Midlands Ambulance Services and hospital services at New Cross Hospital, Wolverhampton.

She reported that no complaints had been received in the last quarter for Cannock Chase Hospital and positive comments had been received with regard to the rehabilitation services. She indicated that a report would be made available for the next meeting.

Elizabeth Learoyd reported on numerous research projects being undertaken, quarterly patient meetings at Cannock Chase Hospital and problems with patient appointment times between New Cross and Cannock.

She reported on the recent AGM where priorities for Healthwatch to consider would be mental health, availability and access to services, and adult and child social care. A copy of the document would be made available on the Healthwatch website.

A Member queried the appointment system and asked if there was any information concerning appointment times at Stoke Hospital.

Elizabeth Learoyd advised that she had no information regarding appointments at Stoke Hospital but she would take this back and look into it as concerns had been raised regarding transportation links.

A Member also discussed bus links between Hednesford and Wimblebury and how the changes would impact on residents trying to get to hospital. She advised that a petition had been raised by local residents and asked if there was anything that Healthwatch could do to offer support. Elizabeth Learoyd advised that she would look into this.

## **16. Staffordshire County Council's Healthy Staffordshire Select Committee – Update**

### All Age Disability – Independent Futures

The Chairman reported that the All Age Disability – Independent Futures report had been discussed at the County Council on 17 August, 2016.

Members of the Health Scrutiny Committee discussed the report and hoped that the

changes to the structure would work, however serious concerns were expressed with a number of the proposals contained within the report. It was suggested that Members feedback to the Committee the impact of the changes within the community.

Members asked about a review being carried out once the structure had been changed. The Chairman indicated that it was likely that 6 month review would be carried out.

#### Closure of A&E to Under 18's at the County Hospital, Stafford

The Chairman reported that Accident and Emergency Services at the County Hospital, Stafford had been suspended for those under the age of 18 due to the service not being clinically safe, and was keen to seek the views from Members of the Committee on this.

A Member was of the opinion that the Trust was obliged to advise the County Council's Healthy Staffordshire Select Committee of issues within the hospital. Whilst this was the case the Head of Environmental Health indicated that because it was classed as an emergency it would have taken priority.

Members of the Committee expressed concern that the service was not clinically safe and felt that the closure was very quick. There was also concern regarding under qualified staff running certain departments which had been highlighted in a recent inspection.

The Chairman reported that the next Healthy Staffordshire Select Committee meeting was scheduled for 19 September, 2016 and would advise the Health Scrutiny Committee if this issue was discussed.

Members were keen for a letter to be forwarded to the Hospital expressing their concerns.

### **17. Health Accountability Sessions**

The Head of Environmental Health reported that there would be four accountability sessions which would be held at the County Council and would be webcast. The sessions would commence at 5.00 p.m.

He advised that the Members on the Healthy Staffordshire Select Committee had an automatic right to attend the meetings and any other Member could attend in the capacity as a member of the public.

The Head of Environmental Health would circulate an email confirming the details to Members.

### **18. Work Programme Update**

It was reported that County Councillor Alan White, Cabinet Member for Health, Care and Wellbeing would not be attending a meeting of the Health Scrutiny Committee to discuss the budget issues surrounding the Better Care Fund (BCF). This was

because the BCF affected the whole of the county and was being dealt with by the county Healthy Staffordshire Select Committee.

The Head of Environmental Health reported that Dr. Huda, Chair of Cannock Chase Clinical Commissioning Group was available to attend a meeting of the Health Scrutiny Committee although he could not attend any of the current meeting dates currently scheduled. It was suggested that an informal meeting be arranged and Members questions submitted in advance.

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CHAIRMAN

The meeting concluded at 5.30 p.m.

**CANNOCK CHASE COUNCIL**  
**MINUTES OF THE MEETING OF THE**  
**LICENSING AND PUBLIC PROTECTION COMMITTEE**  
**WEDNESDAY 27 JULY, 2016 AT 10:00AM**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**

**PART 1**

PRESENT: Councillors

Grice, Mrs. D. (Chairman)

Allen, F.W.C.

Grocott, M.R.

Freeman, Miss M.A.

Sutherland, M.

(substituting for A.  
Dudson)

Todd, Mrs. D.M.

**1. Apologies**

Apologies for absence were received from Councillors A. Dudson (Vice-Chairman), C.I. Lea and D.J. Snape.

Councillor Miss. M.A. Freeman was acting as substitute for Councillor A. Dudson.

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

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

**3. Minutes**

RESOLVED:

That the Minutes of the meeting held on 27 April, 2016, be approved as a correct record and signed.

**4. Licensing Sub-Committee Minutes**

RESOLVED:

That the Minutes of the Licensing Sub-Committee meeting held on 27 April, 2016, be noted.

**5. 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 and 2, Part 1, Schedule 12A Local Government Act, 1972 (as amended).

**CANNOCK CHASE COUNCIL**  
**MINUTES OF THE MEETING OF THE**  
**LICENSING AND PUBLIC PROTECTION COMMITTEE**  
**WEDNESDAY 27 JULY, 2016 AT 10:00AM**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**  
**PART 2**

**6. Hackney Carriage/Private Hire Driver**

Consideration was given to the Not for Publication report of the Head of Environmental Health (Enclosure 6.1 – 6.39 of the Official Minutes of the Council).

The Chairman invited all those present to introduce themselves and outlined the procedure to be followed at the Hearing. All parties confirmed their understanding of the procedure.

The Officer of the Licensing Authority presented the Council's case by taking the Committee through the report outlining the relevant issues for consideration.

The Driver and Members of the Committee were then afforded the opportunity to ask questions of the Officer. The driver and Members asked questions of the Officer.

At this point the Officer of the Licensing Authority called his first witness. The witness provided a statement. The Driver and Members of the Committee were afforded the opportunity to ask questions of the witness. There were no questions asked.

The Officer of the Licensing Authority then called his second witness. The witness provided a statement. The Driver and Members of the Committee were afforded the opportunity to ask questions of the witness. The driver and Members of the Committee asked questions of the witness.

The Officer of the Licensing Authority then called his third witness. The witness provided a statement. The Driver and Members of the Committee were afforded the opportunity to ask questions of the witness. The driver and Members of the Committee asked questions of the witness.

The Driver then presented his case to the Committee.

Members of the Committee and the Officer of the Licensing Authority were afforded the opportunity to put questions to the Driver. The Officer of the Licensing Authority and Members asked questions of the Driver.

The Officer of the Licensing Authority and the Driver then summed up their

cases to the Committee.

The Officer of the Licensing Authority and the Driver then left the room in order that the Committee could deliberate in private, accompanied by the Council's Legal Adviser and Secretary to the Committee.

Following deliberations, the Officer of the Licensing Authority and the Driver returned to the meeting, and the Chairman read out the decision of the Committee:

RESOLVED:

That having regard to all the circumstances, relevant factors and representations made, it was the decision of the Committee that the Driver's Hackney Carriage/Private Hire Driver's Licence be suspended for a period of 12 months.

#### Reasons for the Decisions

1. The Committee takes a very dim view of the inappropriate words used by the Driver.
2. The words used were directed to a vulnerable sixteen year old female passenger.
3. There was a very serious breach of trust.
4. The Committee considered that a 12 month suspension of the Driver's Hackney Carriage/Private Hire Driver's Licence was both reasonable and proportionate, taking into account all the circumstances of the case.

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CHAIRMAN

(The meeting concluded at 12:05pm)

**CANNOCK CHASE COUNCIL**  
**MINUTES OF THE MEETING OF THE**  
**LICENSING AND PUBLIC PROTECTION COMMITTEE**  
**THURSDAY 28 JULY, 2016 AT 2:00PM**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**

**PART 1**

PRESENT: Councillors

Grice, Mrs. D. (Chairman)

Allen, F.W.C.

Lea, C.I.

Freeman, Miss. M. A.

Sutherland, M.

(substituting for A. Dudson)

Todd, Mrs. D.M.

Hoare, M.W.A. (substituting  
for D. Snape)

**7. Apologies**

Apologies for absence were received from A. Dudson (Vice-Chairman), M. Grocott and D.J. Snape.

Councillor Miss M.A. Freeman was in attendance as substitute for Councillor A. Dudson and Councillor M. Hoare was in attendance as substitute for Councillor D. Snape.

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

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

**9. 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 and 2, Part 1, Schedule 12A Local Government Act, 1972 (as amended).



**CANNOCK CHASE COUNCIL**  
**MINUTES OF THE MEETING OF THE**  
**LICENSING AND PUBLIC PROTECTION COMMITTEE**  
**THURSDAY 28 JULY, 2016 AT 2:00PM**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**  
**PART 2**

**10. Hackney Carriage/Private Hire Driver**

Consideration was given to the Not for Publication report of the Head of Environmental Health (Enclosure 4.1 – 4.32 of the Official Minutes of the Council).

The Chairman invited all those present to introduce themselves and outlined the procedure to be followed at the Hearing. All parties confirmed their understanding of the procedure.

The Officer of the Licensing Authority presented the Council's case by taking the Committee through the report outlining the relevant issues for consideration.

The Driver and Members of the Committee were then afforded the opportunity to ask questions of the Officer. The Driver and Members asked questions of the Officer.

At this point the Officer of the Licensing Authority called his first witness. The witness provided a statement. The Driver and Members of the Committee were afforded the opportunity to ask questions of the witness.

The Officer of the Licensing Authority then called his second witness. The witness provided a statement. The Driver and Members of the Committee were afforded the opportunity to ask questions of the witness.

The Driver then presented his case to the Committee.

Members of the Committee and the Officer of the Licensing Authority were afforded the opportunity to put questions to the Driver. The Officer of the Licensing Authority and Members asked questions of the Driver.

The Officer of the Licensing Authority and the Driver then summed up their cases to the Committee.

The Officer of the Licensing Authority and the Driver then left the room in order that the Committee could deliberate in private, accompanied by the Council's Legal Adviser and Secretary to the Committee.

Following deliberations, the Officer of the Licensing Authority and the Driver returned to the meeting, and the Chairman asked the Legal Adviser to read out the decision of the Committee:

RESOLVED:

That having regard to all the circumstances, relevant factors and representations made, it was the decision of the Committee to revoke the Driver's Hackney Carriage/Private Hire Driver's Licence, as the Committee was not satisfied that he was a fit and proper person to continue to hold such a licence.

Reasons for the Decision

The Committee found that the Driver was using a mobile telephone while driving a licensed vehicle on 21 June 2016. By doing so he failed to give sufficient care and attention to his driving.

The Committee was satisfied that the Driver did use a mobile telephone on the motorway while driving a schoolboy pupil on 18 May 2016. Again, this compromised his ability to drive safely.

The Driver was warned about his future conduct and driving standards when he last appeared before the Committee in March 2015 in relation to an incident of holding a mobile telephone while driving. Despite receiving a 14 day suspension at the time the Committee believed the Driver had not changed his ways and continued to drive in an unsafe manner.

The Driver had a history of being involved in traffic accidents and other motoring offences, which raised serious concerns about his ability to drive safely and to maintain sufficient concentration whilst behind the wheel.

The Council, as the Licensing Authority, had a duty to protect the public, and if the Driver was allowed to continue to driver a Hackney Carriage/Private Hire vehicle that the safety of his passengers would be put at serious risk.

The decision to revoke the licence was therefore made on the grounds of public safety.

*(Councillors Allen and Sutherland requested that their names be recorded as having voted against this decision).*

The meeting closed at 3:50pm

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CHAIRMAN

**CANNOCK CHASE COUNCIL**  
**MINUTES OF THE MEETING OF THE**  
**APPEALS AND COMPLAINTS PANEL**  
**FRIDAY 30 SEPTEMBER 2016 AT 10:00 A.M.**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**  
**PART 1**

PRESENT: Councillors

D. Foley	Snape, P.A.
Freeman, Miss M.A.	Sutton, Mrs. H.M.
Grice, Mrs. D.	

**1. Appointment of Chairman**

Councillor Miss Freeman was appointed Chairman for the meeting.

**2. Apologies**

No apologies for absence were received.

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

No declarations of interest were made.

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



**CANNOCK CHASE COUNCIL**  
**MINUTES OF THE MEETING OF THE**  
**APPEALS AND COMPLAINTS PANEL**  
**FRIDAY 30 SEPTEMBER 2016 AT 10:00 A.M.**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**  
**PART 2**

**5. Stage 3 Complaint**

Consideration was given to the Not for Publication Report of the Head of Economic Development (Item 5a.1 – 5a.44 of the Official Minutes of the Council) and the Not for Publication Statement and Accompanying Documents of the Complainant (Item 5b.1 – 5b.14 of the Official Minutes of the Council).

The Chairman invited all those present to introduce themselves and confirm their understanding of the procedure for the Hearing.

The Officer representing the Council presented the Council's case by taking the Panel through the report relating to the complaint. The Complainant, the Complainant's Representative and Members of the Panel were afforded the opportunity to ask questions of the Officer representing the Council.

The Complainant and Complainant's Representative then presented their case to the Panel. The Officer representing the Council and Members of the Panel were then afforded the opportunity to ask questions of the Complainant and Complainant's Representative.

The Officer representing the Council, Complainant and Complainant's Representative were then given the opportunity to sum up their respective cases to the Panel.

The Panel then deliberated in private, accompanied by the Council's Legal Advisor and Secretary to the Panel.

At the conclusion of the deliberations the Complainant and Complainant's Representative then returned to the meeting and the Chairman outlined the decision of the Panel as follows:-

RESOLVED:

That:

- (A) A re-measurement of the maximum height of the shed (which was the premise for the complaint) be undertaken.

- (B) The re-measurement to be undertaken on the morning of Tuesday 4 October 2016.
- (C) As a result of (A) and (B), the Hearing be adjourned until Wednesday 1 November, 2016 at 10:00am, when the complaint will be considered further.

Reasons for Decisions

It was requested that a senior planning officer from the Council undertake the re-measurement in order to give a definitive answer as to whether or not the shed's height was in accordance with Permitted Development Rights.

The re-measurement was requested to happen on the specified date to allow the Complainant, Complainant's Representative and shed owner to all be present to observe the re-measurement being done.

The adjournment was agreed to allow time for the re-measurement to take place and for all parties to re-convene and then discuss the complaint in further detail.

The meeting was adjourned at 11.22 a.m.

**CANNOCK CHASE COUNCIL**  
**MINUTES OF THE RECONVENED MEETING OF THE**  
**APPEALS AND COMPLAINTS PANEL**  
**TUESDAY 1 NOVEMBER 2016 AT 10:00 A.M.**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**  
**PART 2**

**6. Stage 3 Complaint (Continued)**

The Chairman advised that a different Legal Advisor was present as the Legal Advisor from the 30 September meeting was unable to attend. All other parties present on 30 September were in attendance.

The Chairman then reiterated the reasons for the adjournment of the 30 September meeting.

The Secretary to the Panel reported that the Complainant's neighbour had been contacted to arrange for re-measurement of the shed height to be done, however the neighbour stated that as a Council Officer had already taken a measurement which they were satisfied with, they would not allow a re-measurement to take place. This position was reported to the Complainant via email on 14 October. The Complainant then advised that as a result of this, he had requested a re-measurement be done from his own side of the fence boundary.

Further discussion then took place on matters raised at the 30 September meeting and questions were put to the Complainant, Complainant's Representative and Officer representing the Council.

The Panel then deliberated in private, accompanied by the Council's Legal Advisor and Secretary to the Panel.

A Member asked that it be placed on record their satisfaction with how Officers had handled the complaint throughout the whole process.

At the conclusion of the deliberations the Complainant, Complainant's Representative and Officer representing the Council then returned to the meeting and the Chairman outlined the decision of the Panel as follows:-

RESOLVED UNANIMOUSLY:

That the complaint be dismissed.

Reasons for Decision

The Panel had no power to determine that planning enforcement action be taken, as the Panel was satisfied that no breaches of planning legislation had occurred in relation to next door neighbour's shed.

The Panel was further satisfied that the measurements taken by Officers were correct and there was no reason to dispute their validity.

The complainant was able to take alternative action to reduce the impact of the shed, such as erecting some form of screening of a higher boundary fence.

The Complainant was then advised that should he be dissatisfied with the Panel's decision he could progress his complaint to the Local Government Ombudsman.

The meeting closed at 10:45 a.m.

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CHAIRMAN