

**CANNOCK CHASE COUNCIL**

**MINUTES OF THE MEETING OF THE**

**CABINET**

**HELD ON THURSDAY, 17 APRIL, 2014 AT 4:00 P.M.**

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

**PART 1**

PRESENT: Councillors:

Adamson, G.	Leader of the Council
Holder, M.J.	Deputy Leader of the Council and Crime and Partnerships Portfolio Leader
Lovell, A.	Corporate Improvement Portfolio Leader
Mitchell, Mrs C.	Culture & Sport Portfolio Leader
Alcott, G.	Economic Development and Planning Portfolio Leader
Bennett, C.	Environment Portfolio Leader
Davis, Mrs. M.A.	Health and Wellbeing Portfolio Leader
Allen, F.W.C.	Housing Portfolio Leader
Todd, Mrs. D.	Town Centre Regeneration Portfolio Leader

**157. Apologies**

Apologies had been submitted by Councillor F.W.C. Allen, Housing Portfolio Leader. Councillor Mrs. M.A. Davis had also advised that she would be late arriving.

**158. 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.

**159. Updates from Portfolio Leaders**

**Town Centre Regeneration**

Mill Street Underpass

The Portfolio Leader advised that works to improve the underpass had begun. A new flooring finish had been installed and a grant funding bid was being submitted to upgrade the tiled wall finishes.

## **Environment**

### Joint Waste Management Board

The Portfolio Leader advised that he had recently attended a Staffordshire Joint Waste Management Board meeting, during which the County Council's consultation proposals in respect of a revised recycling strategy had been discussed. These were estimated to offer savings of c. £311,000 per annum through the closure of recycling facilities in Biddulph and Burntwood. The Poplars landfill site and recycling facility in Cannock was not affected by the proposals.

#### **159. Minutes of Cabinet Meeting of 20 March, 2014**

It was noted that the Minute in respect of Civil Parking Enforcement had been incorrectly numbered and should have been 156.

RESOLVED:

That the Minutes of the meeting held on 20 March, 2014 be approved as a correct record and signed.

#### **160. Forward Plan**

The Forward Plan of Decisions for the period April to June, 2014 (Item 5.1 – 5.3 of the Official Minutes of the Council) was considered.

RESOLVED:

That the Forward Plan of Decisions for the period April to June, 2014 be noted.

#### **161. Recommendations and References for Determination and Minutes of Policy Development and Other Committees**

RESOLVED:

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

- (i) Culture and Sport – 14 January, 2014
- (ii) Economic Development and Planning – 23 January and 5 February, 2014
- (iii) Environment – 22 January, 2014
- (iv) Health and Wellbeing – 17 December, 2013
- (v) Housing – 20 January, 2014

**162. Recommendation from the Environment Policy Development Committee of 13 March, 2014**

Consideration was given to the recommendation received from the Environment Policy Development Committee held on 13 March, 2014, in respect of:

Provision of Additional 'On-Street' Litter Bins

- (A) "That Cabinet, at its meeting to be held on 17 April 2014, be recommended that:
- (i) The installation of additional 'on-street' bins be preceded by the provision of a 'trial litter bin' for a six month period.
  - (ii) Where weekly usage of the trial litter bin during the six month period:-
    - Exceeds 25% of the bin capacity, a permanent on-street bin be subsequently provided.
    - Is below 25% of the bin capacity, the trial litter bin be removed and no permanent replacement bin be provided.
  - (iii) Where the usage of existing 'on-street' litter bins falls below 25%, the litter bin be removed or re-sited, following consultation with Ward Members.
- (B) That adhesive signs be provided to all 'older type on-street' litter bins to show that dog waste can be disposed of in the bin."

RESOLVED:

That, in respect of:

Provision of Additional 'On-Street' Litter Bins

- (A) The installation of additional 'on-street' bins be preceded by the provision of a 'trial litter bin' for a six month period.
- (B) Where weekly usage of the trial litter bin during the six month period:-
  - (i) Exceeds 25% of the bin capacity, a permanent on-street bin be subsequently provided.
  - (ii) Is below 25% of the bin capacity, the trial litter bin be removed and no permanent replacement bin be provided.
- (C) Where the usage of existing 'on-street' litter bins falls below 25%, the litter bin be removed or re-sited, following consultation with Ward Members.
- (D) That adhesive signs be provided to all 'older type on-street' litter bins to show that dog waste can be disposed of in the bin.

**163. Recommendation from the Audit & Governance Committee of 1 April, 2014, in respect of:**

Consideration was given to the recommendation received from the Audit and Governance Committee held on 1 April, 2014, in respect of:

Confidential Reporting, Anti-Fraud & Bribery and Anti-Money Laundering Frameworks

“That Cabinet, at its meeting to be held on 17 April, 2014, be recommended to adopt the Anti-Fraud and Bribery Framework; the revised Confidential Reporting Framework and the Anti-Money Laundering Framework.”

RESOLVED:

That the Anti-Fraud and Bribery Framework; the revised Confidential Reporting Framework and the Anti-Money Laundering Framework be adopted.

**164. Conservation Areas Appraisals and Management Plans**

Consideration was given to the Report of the Head of Planning and Regeneration (Item 7.1 – 7.45 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The following documents be approved for consultation:
  - (i) Draft Sheepfair / Bow Street, Rugeley Conservation Area Appraisal (Annex 1 to the Appendix to the report).
  - (ii) Draft Sheepfair / Bow Street, Rugeley Conservation Area Management Plan (Annex 2 to the Appendix to the report).
- (B) The proposed amendments to the Draft Conservation Area Appraisals for Cannock Town Centre and North Street, Bridgtown Conservation Areas contained in the Appendix to this report (Annexes 4 and 6) be approved.
- (C) The proposed amendments to the following Draft CAMPs contained in the Appendix to this report (Annexes 4, 6, 8 and 11) be approved.
  - Generic CAMP
  - Rugeley Town Centre CAMP
  - Main Road Brereton CAMP
  - Cannock Town Centre CAMP
  - North Street Bridgtown CAMP
- (D) Authority for any further minor amendments to the above documents be delegated to the Head of Planning and Regeneration in consultation with

the Economic Development and Planning Portfolio Holder and the Town Centre Regeneration Portfolio Holder.

- (E) The Appraisals for Cannock Town Centre and North Street, Bridgtown Conservation Areas and the CAMPs listed above, as amended, be adopted.

### Reasons for Decisions

A series of Appraisals and Management Plans was in progress for the District's eight Conservation Areas. Packages of such documents periodically appeared on Cabinet agendas, initially as Draft documents seeking approval for public consultation then later reported back, together with comments received and proposed amendments, seeking approval for adoption.

Each Conservation Area would ultimately have an Appraisal of its special architectural and historic interest, covering development history, townscape appraisal, a description of features which detract from the special character and opportunities for enhancement, illustrated with plans and photographs. Following on from each Appraisal would be a short Management Plan setting out in more detail the means by which the preservation and enhancement of character and appearance might be pursued. Each area-specific Management Plan should be read in conjunction with the District-wide generic Conservation Areas Management Plan, which sets out a package of measures available for the Council to apply to all of its Conservation Areas.

To date seven Conservation Areas had Appraisals (either Draft or adopted), and four had Management Plans (all Draft). The documents contributed to the heritage evidence base supporting the Local Development Framework.

Consultation on the current Draft documents took place with Staffordshire County Council, English Heritage, local ward councillors and any local amenity groups. Occupiers of all properties within each Conservation Area received publicity about any document covering their own Conservation Area, inviting comments. Copies were published on the Council's website and paper copies placed in local libraries and Council offices, all in accordance with relevant regulations. Consultation took place over a six-week period, after which representations received were considered and are now reported back to Cabinet, including suggested amendments to the documents, as appropriate, before adoption.

Comments received on the documents subject of the report broadly expressed strong support for the Draft documents and their objectives and main issues raised are set out in Annexes 3,5,7,9 and 10. Proposed amendments set out in Annexes 4, 6, 8 and 11 are considered to satisfy the points raised, as far as possible, and to clarify the documents themselves.

## **165. Winter Gritting Programme**

Consideration was given to the Report of the Head of and Waste Management

(Item 8.1 – 8.5 of the Official Minutes of the Council).

RESOLVED:

That

- (A) The Council's six "neighbourhood" car parks should continue to be gritted during the winters of 2014-15 and future years.
- (B) The revised Winter Gritting Programme, as detailed in Appendix 1 to the report, be agreed.

#### Reasons for Decisions

The six "neighbourhood car parks" in Chadsmoor, Heath Hayes and Norton Canes were included in the Council's 2013-14 Winter Gritting Programme, funded from existing resources within the Environment Portfolio.

Funding was for 2013-14 only and consideration needed to be given to whether these car parks should continue to be gritted as part of the programmes for 2014-15 and future years.

The costs of gritting the additional car parks was considered to be "marginal", as the fixed costs (in relation to vehicle hire and standby allowances) were already covered within the agreed budget for the town centre car park and bus station programme. The additional cost was estimated to be £35.00 for each "gritting occasion".

It was considered that subject to "average" winter conditions the additional marginal cost could be accommodated within the agreed budget. However, additional funding would be required if severe weather conditions occurred frequently during the winters of 2014-15 or future years. This however could be addressed for the medium term by carrying forward the under spend arising from the mild winter in 2013-14 and any future mild winter.

#### **166. Feasty Lane**

Consideration was given to the Report of the Corporate Director (Item 9.1 – 9.8 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) Options 3 (Install an Information Board) and 5 (Community Asset Transfer), as detailed in the report, be agreed as the preferred options.
- (B) Authority be delegated to the Corporate Director to implement the options within existing approved budgets.

### Reasons for Decisions

It was important to recognise the historical significance of Feasty Lane. However, in light of the Council's difficult financial position over the next few years it was not feasible to support options that would incur significant initial and / or potential ongoing expenditure. Accordingly, it was agreed to install an information board about Feasty Lane at an estimated cost of £1,500 which could be met out of the existing Town Centre Improvement Budget. Agreeing to approve Option 5 (Community Asset Transfer), in principle would offer scope for some further action in this regard at a future date without committing the parties at the present time.

#### **167. Welfare Benefits and Fairer Charging Service**

Consideration was given to the Report of the Head of Finance (Item 10.1 – 10.8 of the Official Minutes of the Council).

RESOLVED:

That

- (A) The contents of the report be noted.
- (B) The Head of Finance be authorised to deliver the Welfare Benefits and Fairer Charging service, on behalf of Staffordshire County Council, insofar as it affects the residents of the Cannock Chase and Stafford areas.
- (C) Appropriate changes be made to the Service Level Agreement between Cannock Chase Council and Stafford Borough Council, in respect of Revenues and Benefits, so that the shared service can deliver the Welfare Benefits and Fairer Charging service for the Cannock Chase and Stafford areas.
- (D) The Head of Finance, in conjunction with the Leader of Council, be authorised to conclude negotiations with Staffordshire County Council and Stafford Borough Council in this regard.

### Reasons for Decisions

All district and Borough councils in Staffordshire were approached by Staffordshire County Council about the possible commissioning of the service during the review of Revenues & Benefits under the Shared Services strand of the 'One Place' project, supported by Chief Executives and Leaders.

All districts and boroughs expressed an interest in exploring the proposition, subject to a satisfactory Business Case to support the transfer. All believed that, by delivering this service alongside their own Benefit Service, would provide a one-stop approach to benefits, financial assessments and welfare advice delivered via local access and delivery points. The service to local residents

would therefore improve and efficiency savings would be achieved by all parties.

Staffordshire County Council made a proposal, on 16 May 2012, to commission the District and Borough Councils to deliver the Welfare Benefits and Fairer Charging service as part of an integrated, holistic financial advice and assessment service. Officers of the County Council and all District and Borough Councils, managed a project to establish the Business Case for the implementation of proposal, for consideration by District/Borough members.

Following the project that had been undertaken and the work done by the three “pilot authorities” (Newcastle Under Lyme BC, Lichfield DC and South Staffordshire DC), Cannock Chase officers were satisfied that the Business Case supported the acceptance of the commission from the County Council.

**168. Exclusion of the Public**

RESOLVED:

That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information as defined in Paragraph(s) 1 and 3, Part 1, Schedule 12A of the Local Government Act 1972 (as amended).

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**HELD ON THURSDAY, 17 APRIL, 2014 AT 4:00 P.M.**  
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**PART 2**

**169. Waste Collection Contracts**

Consideration was given to the Not for Publication Report of the Head of Housing and Waste Management (Item 12.1 – 12.8 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) A decision regarding the future provision of waste collection services be deferred for a period of one year to enable the position regarding the future collection of dry recyclables and the provision of recycling credits to be clarified and a new contract to be in place for the disposal of dry recyclables.
- (B) The current waste collection services for General (Residual) and green waste continue to be provided for a further year by the Cannock Chase District Council “in-house team”.
- (C) Subject to Council waiving Contract Procedure Rules, the Head of Housing and Waste Management be authorised to undertake negotiations with Biffa Municipal Limited to extend the current Dry Recyclables Collection Contract for a further year, following a Voluntary Ex Ante Transparency Notice.
- (D) A further report should be considered on a review of the Council’s existing waste collection service standards, including green waste collections during the winter months.

Reasons for Decisions

The Council’s current waste collection contracts expire on 31 March 2015 and consideration had been given to four options for the future provision of the service.

Significant uncertainties existed regarding the continued collection of commingled dry recyclables and the provision of recycling credits from Staffordshire County Council. Details of these issues were set out in the report. A new contract is also being procured for the disposal of recycling

materials and until this exercise has been completed it is not possible to specify the disposal point within any collection contract.

Until these matters were clarified or resolved it was not possible to specify the future service standards which would be required in respect of the new contract(s). Whilst contracts could be let on the basis of current service standards or arrangements it was likely that any change would result in financial penalties if let to an external provider.

It might also be necessary to reduce or realign waste collection services to help address future budget deficits. Again, any change would be likely to result in financial penalties.

It was therefore proposed that a decision regarding the future provision of waste collection services be deferred for one year and that subject to Council waiving the Contract Procedure Rules, actions be taken to continue service provision through existing providers during the interim period. This would also enable the Council's existing waste collection service standards to be reviewed, which would include a review of green waste collections during the winter months.

#### **170. Affordable Homes Programme 2015-18**

Consideration was given to the Not for Publication Report of the Head of Housing and Waste Management (Item 13.1 – 13.11 of the Official Minutes of the Council).

RESOLVED:

That

- (A) The Council's bid to the Homes and Communities Agency for Affordable Housing Grant to facilitate the provision of 92 Council dwellings in accordance with the schedule of sites attached as Appendix 1 to the report be agreed.
- (B) An affordable rent which is equivalent to a Social Housing Rent is charged on all Council new build properties.
- (C) A further report be submitted on the delivery of the 2015-18 Affordable Homes Programme in the District when the grant allocations made by the Homes and Communities Agency are known.

#### Reasons for Decisions

The Homes and Communities Agency (HCA) had invited bids for Affordable Housing Grant under the 2015-18 Affordable Homes Programme and had issued a prospectus which provided details of the bidding guidance.

The Council had an agreed new build programme of 80 rented dwellings. Whilst all of these dwellings were fully funded from Housing Revenue Account

capital resources, the potential availability of Affordable Housing Grant would “stretch” the agreed resources and enable additional Council new build dwellings to be provided.

Details of a proposed bid were set out in the report. This sought the provision of Affordable Housing Grant for 92 Council dwellings and if the Council’s bid was successful would enable an additional 12 Council dwellings to be provided. The Council was required within the bid to identify specific schemes in relation to the proposed 92 dwelling new build programme. However, schemes had only been agreed for 70 dwellings at the Moss Road Estate and the former Berwick Drive garage site. As a result, additional former garage sites and other small areas of Council owned land have been identified to accommodate the “balance” of 22 dwellings. The additional sites were set out in Appendix 1 to the report and would be subject to further reports prior to any detailed development proposals.

A key issue in relation to the bid was the type of rent to be charged. The HCA prospectus stated that dwellings were “expected” to be let at Affordable Rents charged at the maximum of 80% of the local market rent, whilst it is the Council’s policy that the houses to be provided on the Moss Road Estate and on the Berwick Drive site are provided at Social Housing Rents. The prospectus further stated that bids incorporating either Social Rents or Affordable Rents at less than 80% will only be supported in “very limited circumstances”.

Three options regarding the Council’s rent setting policy were therefore presented for consideration, i.e.

- (i) Revise the Council’s new build rent setting policy and charge Affordable Rents (at 80% of the Cannock Chase market rent) on all Council new build properties.
- (ii) Charge an Affordable Rent which is equivalent to a Social Housing Rent, on all Council new build properties.
- (iii) Charge Social Housing Rents on all Council new build properties in accordance with current policy, although the Homes and Communities Agency have confirmed that units for Social Rent would be extremely unlikely to be funded.

Cabinet were therefore requested to determine the rent setting policy within the bid.

The Council had also been consulted by a number of housing association and private developer, Registered Investment Providers regarding potential bids which they propose to make under the programme. As the HCA funding was not being allocated geographically, support had been given to all bids which met identified local needs. These would, however, generally be at “80% Affordable Rents”. A further report would be submitted when the grant allocations arising from 2015-18 Affordable Homes programme was known.

## **171. Acquisition of West Cannock Sports and Social Centre Site**

Consideration was given to the Not for Publication Report of the Corporate Director (Item 14.1 – 14.7 of the Official Minutes of Council).

RESOLVED:

That:

- (A) The freehold acquisition of West Cannock Sports and Social Centre site at a cost of £120,000 be approved subject to securing planning consent for a full size Artificial Turf Pitch and ancillary facilities.
- (B) It be noted that the acquisition is funded from the Joint Investment Programme with Staffordshire County Council.
- (C) Authority be delegated to the Corporate Director to determine whether existing structures on the West Cannock Sports and Social Centre site should be demolished; and to approve expenditure of up to £5,000 for such a purpose if required.
- (D) A tender process be approved to select a partner to manage the full size Artificial Turf Pitch on this site prior to its construction so that such a partner can be involved in the design and construction of the facility.

### Reasons for Decisions

There was £980,000 set aside in the agreed Joint Investment Programme between this Council and Staffordshire County Council to construct a full size artificial turf pitch. The Sport England evidence base for Cannock Chase confirmed that at least two, and probably three, full size artificial turf pitches were required to meet the District's needs.

A suitable site had been identified for this at the old West Cannock Sports and Social Club on Bradbury Lane, Hednesford WS12 4EP. This was a disused site in the centre of a residential area. The Council had submitted a bid to purchase the freehold of this site for £120,000 subject to securing planning consent for a full size artificial turf pitch with ancillary facilities. There were existing structures on the site that might require demolition.

The Council was no longer a direct provider of sports and leisure services; therefore, it needed to secure by tender an operator / managing agent for the ATP. It was proposed that this should occur after the legal conveyance had been completed for the site.

## **172. Development of the Mill Green Site**

Consideration was given to the Not for Publication Report of the Head of Planning and Regeneration. (Item 15.1 – 15.8 of the Official Minutes of the Council).

**Notice Under Regulation 5 of the Local Authorities (Executive Arrangements) (Meeting and Access to Information) (England) Regulations 2012**

In respect of this item, the Chair of the Scrutiny committee had given written agreement that the report could be considered in confidence as an urgent matter that could not reasonably be deferred.

RESOLVED:

That:

- (A) The revised proposals for the disposal and development of the Mill Green Site be noted and endorsed.
- (B) The Head of Planning and Regeneration, in consultation with the Leader of the Council and the Economic Development and Planning Portfolio Leader, be authorised to enter into a conditional contract for the disposal of the Mill Green Site on terms and conditions to be agreed and which shall be generally in accordance with the Heads of Terms in the report.
- (C) The Head of Planning and Regeneration be authorised to enter into such other legal agreements and obligations as may be considered necessary to secure the disposal and development of the Mill Green Site for the purposes proposed.
- (D) The matter be exempt from the call-in process as a result of the timescales involved.

Reasons for Decisions

The Council had received a revised proposal in respect of the acquisition and development of the Mill Green site. The report considered revised terms for the development, which remained commercially sensitive.

Cabinet considered that any delay in reaching a decision on the revised terms would potentially prejudice the development from proceeding and determined to exempt the decision from the call-in process.

The meeting closed at 5.10 pm

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LEADER