

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
CABINET

HELD ON THURSDAY, 18 SEPTEMBER, 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.M.	Town Centre Regeneration Portfolio Leader

42. Apologies

Apologies for absence were received from Mr. A. Welch, Head of Law and Administration and Mr. I. Curran, Legal Services Manager.

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

The following Declaration of Interest was made in addition to those already confirmed by Members in the Register of Members' Interests:

Member	Interest	Type
Lovell, A.	Works for an Artificial Turf Pitch Manufacturer	Personal

44. Updates from Portfolio Leaders

Environment

Former Councillor N. Walker

The Portfolio Leader advised that the funeral of the former District Councillor Nancy Walker would be held on Friday 26 September, 2014 at 12.30pm at Stafford Crematorium. There would be family flowers only and any donations to the Queen Elizabeth Liver Unit.

Redbrook Lane

The Portfolio Leader advised that there had been no further developments regarding Redbrook Lane and the matter was with Lawyers.

Enforcement Action for Spitting

The Portfolio Leader advised that PR & Marketing would be doing publicity within the next fortnight regarding the new enforcement action against spitting in public places.

The Health and Wellbeing Portfolio Leader asked whether small electric items from outside of properties were still being collected as part of the kerbside collection service. The Environment Portfolio Leader confirmed this collection was still in place; however, scrap dealers often arrived before the refuse collection vehicles.

Culture and Sport

Former Cannock Stadium

The Portfolio Leader advised that the planning application for the Phase 1 development of a Community Sport and Recreation Hub at the former Stadium site had been submitted today.

45. Minutes of Cabinet Meeting of 21 August, 2014

RESOLVED:

That the Minutes of the meeting held on 21 August, 2014 be approved as a correct record and signed.

46. Forward Plan

The Forward Plan of Decisions for the period September to November, 2014 (Item 5.1 of the Official Minutes of the Council) was considered.

RESOLVED:

That the Forward Plan of Decisions for the period September to November, 2014 be noted.

47. Recommendations and References for Determination and Minutes of Policy Development and Other Committees

No Minutes had been received.

48. Recommendation from the Environment Policy Development Committee of 14 August, 2014, in respect of:

Joint Municipal Waste Strategy – Cannock Chase Waste Action Plan

Consideration was given to the recommendation received from the Environment Policy Development Committee held on 14 August, 2014, in respect of:

Joint Municipal Waste Strategy – Cannock Chase Waste Action Plan

- (A) Cabinet, at its meeting to be held on 18 September 2014, be recommended to approve the Cannock Chase Waste Action Plan, subject to the agreement of (B), below.
- (B) Subject to the agreement of the Scrutiny Committee, at its meeting to be held on 6 October 2014, the 2014-15 Waste Management performance targets with the 'Place' Priority Delivery Plan be amended as follows:-
 - (i) Dry recycling per household – 277kg per annum.
 - (ii) Green waste composting per household – 213kg per annum.
 - (iii) Residential household waste per household – 435kg per annum.
 - (iv) % of household waste sent for re-use, recycling and composting – 53%.

RESOLVED:

That:

- (A) The Cannock Chase Waste Action Plan be approved, subject to the agreement of (B), below.
- (B) Subject to the agreement of the Scrutiny Committee, at its meeting to be held on 6 October 2014, the 2014-15 Waste Management performance targets with the 'Place' Priority Delivery Plan be amended as follows:-
 - (i) Dry recycling per household – 277kg per annum.
 - (ii) Green waste composting per household – 213kg per annum.
 - (iii) Residential household waste per household – 435kg per annum.
 - (iv) % of household waste sent for re-use, recycling and composting – 53%.

49. Assets of Community Value

Consideration was given to the Report of the Monitoring Officer (Item 7.1 – 7.18 of the Official Minutes of the Council).

The Corporate Improvement Portfolio Leader introduced the report advising the following:-

“The Localism Act 2011 introduced a power for local voluntary or community groups to apply to the Council to place certain land, or property, of “community value” on a community asset register. If an asset is placed on the register, the owner of that asset must notify the Council if it intends to sell it. The Act then gives community bodies 6 weeks to express an interest in bidding for that asset and, if an interest is expressed, prevents the owner from selling on the open market for 6 months. This is designed to ensure that there is a period within which the owner can only consider sale to community bodies. However, the owner is not obliged to sell to a community body and can sell to the open market again once the 6 week or 6 month period has expired.

An asset can be listed if it is either currently being used for community benefit or if it has recently been used for community benefit and it is realistic to think that it could do so again in the next 5 years. Community benefit would include anything that furthers social wellbeing or furthers cultural, recreational or sporting interests in the local community. The owner has a right to request a review of a decision to place the asset on the register. Such a review must be undertaken by a senior officer of the council.

Regulations require the Council to determine applications within 8 weeks of receipt. This report asks for the power to consider applications to be delegated to the Council Monitoring Officer, with reviews to be conducted by the Corporate Director.

The Council has now received its first application under the Act. Due to the timescales involved, the Leader has made an executive decision to list the Pied Piper Public House on the register and asks Cabinet to note his decision. A copy of this decision is attached to the report”.

RESOLVED:

That:

- (A) The Council’s obligations under the Localism Act, 2011 in relation to Assets of Community Value be noted.
- (B) The Monitoring Officer, or in his absence the Deputy Monitoring Officer, (in consultation with the Leader of the Council and members of the ward in which the asset is located, where practicable) be authorised to determine any application to list any building and / or other land as an asset of community value, and / or claim for compensation arising from an asset being listed.
- (C) The Corporate Director be authorised to determine any review of any decision made under (B) above.
- (D) The decision of the Leader of the Council to list the asset known as the Pied Piper Public House be noted.

Reasons for Decisions

The Localism Act, 2011 gave certain bodies the right to nominate certain buildings and / or land in the District as Assets of Community Value. The

Council is obliged to administer a scheme to receive such nominations and compile a list of such assets.

If an asset was placed on the list, the owner would be restricted from selling the asset until certain time limits had elapsed and the nominating body had been given the opportunity to bid for the asset. Owners could claim compensation for any losses arising from the decision to list the asset as one of community value. Owners were also given an opportunity to request a review of any decision to list an asset, or decision to refuse compensation.

The Council had already received a nomination to list the Pied Piper Public House, and the Leader had used his executive authority to accept the nomination due to the need to determine such matters within the statutory timescale.

50. Housing Services 2013-14 Annual Report

Consideration was given to the Report of the Head of Housing and Waste Management (Item 8.1 – 8.18 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The draft 2013 - 14 Housing Services Annual Report (Appendix 1 to the report) be agreed for circulation to all the Council's tenants.
- (B) If required, the Head of Housing and Waste Management, following consultation with the Housing Portfolio Leader, be authorised to make amendments to the draft 2013-14 Housing Services Annual Report prior to circulation.

Reasons for Decisions

The Council is required to publish the 2013-14 Annual Housing Report by 1 October, 2014.

The Annual Report must be circulated to all tenants and this would be achieved as part of the Autumn edition of Hometalk.

51. Quarter 1 Performance Review of Wigan Leisure and Culture Trust 2014-15

Consideration was given to the Report of the Head of Commissioning (Item 9.1 – 9.58 of the Official Minutes of the Council).

RESOLVED:

That the performance of Wigan Leisure and Culture Trust (WLCT) in delivering the Culture and Leisure Services for the period 1 April to 30 June, 2014 be noted.

Reasons for Decisions

The performance review was an integral part of the Council's contract monitoring arrangements with WLCT, enabling the Council to review the Trust's performance and commitments set out in the contract and method statements.

Appendix 1 to the report provided a detailed breakdown of WLCT's performance

against performance targets for the first quarter of the financial year, covering the period 1 April to 30 June, 2014.

There had been a number of highlights during the quarter. Of the total of 62 performance measures and targets WLCT had met or exceeded performance in 47 (75%) of its targets and not met target in 15 (25%), albeit that 6 (10%) were within the 5% tolerance threshold. The other 9 (15%) were considered red.

However, the aim of the report was also to present a balanced picture of achievements and performance against the targets set, including where performance needed to be improved and key issues had been identified for the year.

52. Capital and Revenue Costs for Phase 1 Development of a Community Sport and Recreation Hub – Stadium Site

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

RESOLVED:

That:

- (A) The estimated capital and revenue costs required to establish and maintain the facilities included in Phase 1 of the Design Master Plan be noted.
- (B) Capital expenditure of £1,382,000 be approved to deliver Phase 1, to be met from the Stadium Development Fund included in the existing Capital Programme.
- (C) £517,500 of the £1,382,000 be funded from the Section 106 ASDA contribution for specific facilities listed in paragraph 3.5 of the report.
- (D) The revenue budget of £68,340 as set out in the report to maintain the facilities included in Phase 1 from 2015-16 onwards be approved.
- (E) A further detailed report on the capital and revenue costs associated with the delivery of Phase 2 be taken to Cabinet in due course.
- (F) Authority be delegated to the Head of Commissioning, in consultation with the Culture and Sport Portfolio Leader, to take such actions as may be necessary to progress the above resolutions within existing budgets.

Reasons for Decisions

It was recognised that Councils had a major role in contributing to the promotion and delivery of increased participation in sport, recreation and physical activity. The provision of first class sports and recreation facilities that were sustainable and met the needs of the community could assist in meeting this role.

It was important that the long-term financial obligations of the Council - be it revenue or capital - were minimised and to this end the project costs estimated by the Consultants, Continuum Sport and Leisure Ltd in their feasibility study had been validated and challenged to ensure that the data used in making future decisions was as robust as possible.

As outlined and agreed in previous reports the project would be delivered in 2

phases with the timing of Phase 2 being dependent upon the service delivery method for the operation of the site and delivery of additional capital resources. Hence the full capital and revenue costs for Phase 2 would need to be validated and reported back to Cabinet when the procurement route and operating arrangements had been determined, and appropriate funding opportunities explored.

Consequently, the report focussed solely on the capital and revenue costs associated with the delivery, implementation and ongoing maintenance of the facilities approved for Phase 1, by Cabinet in July 2014.

The estimated capital cost to deliver the facilities proposed in Phase 1 was £1,382,000, which could be met from the Stadium Development Fund of £1,500,000 included in the current approved Capital Programme. This included a contribution of £527,500 from ASDA which would be used to fund the following sports facilities in Phase 1:

- Floodlit multi use games area (basketball / football) - £100,000
- Adventure sports and play area (adults and children) - £210,000
- Children's play facilities (2) - £170,000
- Fitness Trim Trail (running / walking / cycling) - £22,500
- Mountain Biking trail (graded earth track) - £15,000

ASDA would receive full publicity for funding these specific facilities.

The estimated ongoing revenue cost, when all of the facilities in Phase 1 had been delivered, was £68,340 per annum. This could be met from the current revenue provision for the site of £30,000 together with £38,340 taken from the Grounds Maintenance contingency.

Given the level of information available at that early stage of the project, the costs provided should be considered as indicative only and would be subject to further scrutiny at each element of the detailed design stage. The project would only proceed if planning consent was approved. The submission of the planning application for the site and supporting ecology survey was on track to be completed by the end of September and subject to approval and satisfaction of any relevant conditions it was anticipated that some work on site could start in April 2015.

53. Quarter 1 Performance Report

Consideration was given to the Report of the Chief Executive (Item 11.1 – 11.62 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The performance information and the case studies relating to PDPs, as detailed at Appendices 1-9 to the report, be noted.
- (B) The actions and indicators which are rated Red or Amber be noted and the remedial action or rescheduled delivery stated to address performance be confirmed.

- (C) The General Fund financial performance against budget for the first Quarter, as detailed at Appendix 9 to the report, be noted.

Reasons for Decisions

Information for performance actions, indicators and case studies 2014/15 was included for relevant items in Appendices 1 to 8 to the report. The overall rankings for each Portfolio area were detailed in Section 5, indicating that 83.5% of targets had been achieved during the first quarter of 2014/15. The recommendations reflected that the performance and any subsequent rescheduling be noted.

54. Redevelopment of the Former Aelfgar School Site, Taylors Lane, Rugeley

Consideration was given to the Report of the Corporate Director (Item 12.1 – 12.6 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The principle of including the former squash courts and part of the adjacent Taylors Lane car park in emerging plans for the redevelopment of the former Aelfgar School site in order to facilitate a comprehensive approach to redevelopment be agreed.
- (B) The Corporate Director be authorised to negotiate appropriate terms and conditions for the disposal of the Council's land in consultation with the Portfolio Leaders for Economic Development and Planning and Corporate Improvement; and to enter into agreements as necessary to enable the disposal and development of the Council's land in conjunction with the land owned by the County Council.

Reasons for Decisions

Staffordshire County Council own the former Aelfgar School on Taylors Lane, Rugeley which had been vacant since its closure in August 2011. The site area was approximately 1.73 hectares (as per Appendix 1 to the report).

In response to local need, the County Council was proposing to use about half of the site for large (60 bed) ExtraCare (or FlexiCare) facility. The development would also include other complementary services such as a GP surgery, other therapies, a pharmacy, community café, hairdressers etc. The remainder of the site would be surplus to needs of the ExtraCare / FlexiCare facility and would be available for appropriate alternative use such as residential development.

The District Council owned Taylors Lane pay and display car park and former squash courts adjacent to the former Aelfgar School Site. The squash courts were declared surplus in excess of 10 years ago and had remained vacant since then, pending the redevelopment of the Aelfgar Centre site.

Policy RTC4 of Part 1 of the Cannock Chase Local Plan identified the former Aelfgar School site as a potential residential development opportunity noting that it should be developed as a single comprehensive package. The Policy also noted that any scheme should facilitate improved access to the Rose Theatre and adjoining YMCA. The inclusion of the former squash courts and part of the

car park would be required for the access arrangements necessary for the whole site and the achievement of a comprehensive scheme for its redevelopment, and therefore it was recommended that the Council's property interests should be included within the emerging proposals, subject to satisfactory terms and conditions being agreed by the County Council.

55. Scrutiny Committee Review of Air Quality and Industrial Emissions

Consideration was given to the Report of the Head of Environmental Health (Item 13.1 – 13.3, plus Appendix, of the Official Minutes of the Council).

The Environment Portfolio Leader welcomed the report and recommendations from the Scrutiny Committee and advised the following:-

“The issue of air quality in the District is an important one for both health and quality of life reasons and I am pleased that these issues have undergone detailed scrutiny by a Working Group of Members.

As the responsible Cabinet Member I am very aware of the complex technical, legal and environmental issues associated with the Poplars Landfill site, the anaerobic digestions plant and industrial emissions across the District.

I would like to recommend to Cabinet that we accept the recommendations as set out in 2.1 – 2.4 of the report without amendment.

I would also like to add a further recommendation prompted by the report and also by one of my Cabinet colleagues:-

“That a Liaison Group is established consisting of all relevant stakeholders in relation to issues associated with Norton Aluminium in Norton Canes”.

RESOLVED:

(A) That the recommendations of the Scrutiny Committee review into air quality emissions be endorsed.

(B) That a Liaison Group be established consisting of all relevant stakeholders in relation to issues associated with Norton Aluminium in Norton Canes.

Reasons for Decisions

Scrutiny Committee established a working group to scope and take forward a review of air quality and industrial emissions within the District. The report of the working group was presented to Scrutiny Committee on the 10 April 2014 and subsequently sought Cabinet endorsement.

56. Cabinet Response to the Public Consultation on Cannock Hospital Minor Injuries Unit Redesign

Consideration was given to the Report of the Corporate Director (Item 14.1, plus Appendix of the Official Minutes of the Council).

The Economic Development and Planning Portfolio Leader suggested that, in addition to the response being sent to the CCG, letters also be forwarded to Aidan Burley, MP Cannock Chase Constituency and the Secretary of State for Health expressing Cabinet's concerns regarding the proposals in respect of the Minor Injuries Unit and to the cuts in the Health service.

RESOLVED:

- (A) That the response to the Cannock Chase Clinical Commissioning Group's proposals in respect of the Minor Injuries Unit be approved and the letter be signed by Members and despatched as a matter of urgency.
- (B) That letters be forwarded to Aidan Burley, MP Cannock Chase Constituency and the Secretary of State for Health expressing Cabinet's concerns regarding the proposals in respect of the Minor Injuries Unit and to the cuts in the Health service.

Reasons for Decisions

Cannock Chase CCG were consulting on proposals to reduce the hours of opening of the Minor Injuries Unit at Cannock hospital from 16 hours per day (8am to midnight, 7 days per week) to 8 hours per day (11am to 7pm, 7 days per week). The consultation period was taking place from 1 to 28 September, 2014. During this period, three public events would take place (Cannock: 3 September; Hednesford: 10 September; and Rugeley: 18 September).

A key issue from the CCG perspective was that approximately four out of ten people who use the MIU do so with a minor illness rather than a minor injury and this is judged as not cost effective. Cannock Chase CCG had an unplanned financial deficit of £9.599m in the last financial year; with a planned deficit agreed for 2014/15 financial year of £8.574m.

Following discussions about the implications of the proposal for residents of Cannock Chase, the current problems with accessing timely appointments at many GP practices in the District and the need for a more coherent model for out of hours and urgent care in the District, the Cabinet response had been drafted for consideration.

57. 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).

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HELD ON THURSDAY, 18 SEPTEMBER, 2014 AT 4:00 P.M.

IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 2

58. Review of Contracted Grounds Maintenance Services

Consideration was given to the Not for Publication Report of the Head of Commissioning (Item 16.1 – 16.6 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The Staffed Parks contract be extended for up to 2 years from 1 April 2015.
- (B) The Arboricultural Service Contract should not be extended, but that the service be provided in-house for 3 years from 1 April 2015 during which time the business case could be fully evaluated and monitored.

Reasons for Decisions

Both the Arboricultural and Staffed Parks Contracts were due to expire on 31 March, 2015 and the Council needed to consider options for the future service delivery of these elements to ensure that there was no disruption in service provision.

The Arboricultural Contract with Midland Tree Service Ltd (MTS) was a Schedule of Rates Contract where works required by the Council were requested from the Contractor on a “call off” basis against a tendered Schedule of Rates.

The Staffed Parks Contract with The Landscape Group (TLG) provided the grounds maintenance works at Cannock Park, Hednesford Park, Ravenhill Park and Elmore Park.

Given the tight timescales in respect of extending the two contracts and the lack of capacity within the Parks and Open Spaces Team to undertake a full review and evaluation, the outlined proposals were considered the most appropriate to ensure that there was no disruption in service provision.

The meeting closed at 4.45 p.m.

LEADER