

CANNOCK CHASE COUNCIL

MINUTES OF THE MEETING OF THE

CABINET

HELD ON THURSDAY, 19 DECEMBER, 2013 AT 4:00 P.M.

IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT: Councillors:

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 & 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

Councillor. M.J. Holder, Deputy Leader of the Council and Crime and Partnerships Portfolio Leader took the Chair in the absence of the Leader.

96. Apologies

Apologies were submitted on behalf of Councillor G. Adamson, Leader of the Council.

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

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

98. Updates from Portfolio Leaders

Deputy Leader and Crime and Partnerships

Mid-Staffs NHS Foundation Trust Special Administrators' Report - The Deputy Leader and the Health and Wellbeing Portfolio Leader advised that the TSA's report had been published on Wednesday, 18 December, 2013, having been submitted on 17 December to Monitor, for consideration. Monitor had up to 20 working days to reach its decision, and make onward recommendations to the Secretary of State, who would then have a further 30 working days, ending no later than 26 February, 2014, to consider the report and reach his final decision on whether or not to dissolve the Trust.

The Deputy Leader and the Health and Wellbeing Portfolio Leader had discussed the proposals in a conference call with the TSA's and it was felt that, as all interested parties, such as the Clinical Commissioning Group had been involved closely in the consultation, the matter should progress smoothly. Generally, the proposals represented a positive outcome for Cannock Hospital, and it was agreed that a press release to this effect should be agreed with the CCG and released at the earliest opportunity.

Norton Canes and Heath Hayes Primary Schools Academisation – The Deputy Leader advised that a letter had been sent to the Secretary of State for Education concerning the consultation process undertaken in respect of the forced academisation of Heath Hayes and Norton Canes Primary Schools, which the Council considered to be flawed. A response had been received which stated that the Department for Education's Legal Advisor's Office did not accept that the process and / or the decisions of the Secretary of State were fundamentally flawed.

Counsel's advice had been sought and it was Counsel's opinion that the Council would be unlikely to prevail if a judicial review of the decision was sought. Subsequently, the Deputy Leader advised that he would be writing to the Secretary of State seeking further information under a Freedom of Information request, about the consultation and decision making process.

Members also agreed to approach the Shadow Secretary of State for Education to seek his support in the matter.

Police and Crime Commissioner: Safer Staffordshire Board - The Deputy Leader advised that the Chief Executive had now received a letter from the Police and Crime Commissioner in respect of representation on the Safer Staffordshire Board. The matter had been raised at the Staffordshire Chief Executives Group meeting at which a representative of the PCC was present, and there was consensus from all the Chief Executives present that they should all sit on the Board.

Culture and Sport

Museum of Cannock Chase (Awards) – The Culture and Sport Portfolio Leader advised that the Museum had recently received three prestigious awards, being named a 'quality assured visitor attraction' following an assessment by Visit England; picking up the heritage education accolade 'The Sandford Award' for the fourth time; and receiving its official Museum Accreditation from the Arts Council. The Museum Accreditation scheme set out nationally agreed standards for museums within the UK, ensuring effective collections management for the benefit of users and was a key element in successfully attaining the funding for the renewal of the permanent exhibition gallery.

Leisure Centres – The Portfolio Leader advised that following achievement of the Quest Accreditation Scheme last year, both Chase Leisure Centre (September) and Rugeley Leisure Centre (December) had undertaken

interim assessments to review adherence and progress to the standard. The assessors noted improvements at both facilities and recommended that Rugeley Leisure Centre, currently one of only a small number of centres across the country rated as 'Excellent', should aim to achieve an 'Outstanding' rating in the next few years.

Environment

Cannock Chase AONB Joint Management Committee – The Environment Portfolio Leader advised that he had recently attended a meeting of the Joint Management Committee, and the issue of substitutes had arisen following a previous meeting where no Members had been in attendance. The current terms of reference did not permit substitution unless the substitute also had the AONB within their portfolio. Accordingly, the matter was to be given further consideration.

Redbrook Lane: Illegal Dumping and Insect Infestation – The Portfolio Leader advised that a prosecution was being pursued against the owner of the premises. A charge had previously been laid against the property to recover costs incurred from any future sale; however, if the owner was found guilty, Profits from Crimes provisions would apply and costs could be recovered by that means.

Joint Staffordshire Parking Board (JSPB) – The Portfolio Leader advised that the programme for establishing alternative arrangements for the delivery of Civil Parking Enforcement (CPE) in Staffordshire had been discussed at the JSPB on 16 December, 2013. A proposed timetable had been issued that included initial discussions with District Councils in January, 2014.

The Portfolio Leader considered that the proposed timetable was challenging and stated that he had stressed that, if the county council failed to meet the required timescales, he expected the timetable to be amended accordingly. He advised that, following the initial discussions, a report on the future delivery of CPE would be prepared for consideration by Cabinet.

Consultation on Local Parking Strategies (Parking Enforcement) - The Portfolio Leader advised that a consultation paper on local authority parking had been issued by the Department for Transport. The paper invited views on local authority parking strategies and options that the Government was considering to change the balance of how parking was enforced, to complement and enhance the attractiveness of high streets and town centres. Responses to the consultation needed to be received by 14 February, 2014, and the matter would be the subject of a future report to Cabinet.

99. Minutes of Cabinet Meeting of 21 November, 2013

RESOLVED:

That the Minutes of the meeting held on 21 November, 2013 be approved as

a correct record and signed.

100. Forward Plan

The Forward Plan of Decisions for the period December, 2013 – February, 2014 (Item 5.1 of the Official Minutes of the Council), was considered.

RESOLVED:

That the Forward Plan of Decisions for the period December, 2013 – February, 2014, be noted.

101. 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) Town Centre Regeneration, 8 October, 2013

102. Update on Partnership Activity

Consideration was given to the Report of the Head of Policy (Item 7.1 – 7.20 of the Official Minutes of the Council).

RESOLVED:

That the update on Partnership activity and allocation of LSP funds be noted.

(No specific areas of interest for future reports were identified at that time.)

Reasons for Decisions

The report was the regular quarterly report to update Cabinet on key areas of Partnership work following the LSP cycle of meetings in May and July, 2013. The report included an update on the three priority themes for the Partnership (Improved Health, Increased Economic Opportunity and Community Safety), together with detailed information and case studies on specific initiatives.

The LSP had adopted its own governance structure and Terms of Reference, and, therefore, the quarterly update reports were intended to provide a summary of Partnership work for information. Any particular areas of interest to Cabinet could be reported in more detail in future Partnership Update reports, hence the recommendation that Cabinet identify specific areas of interest in respect of Partnership working.

103. Renewable Heat Premium Payment Social Landlords Scheme

Consideration was given to the Report of the Head of Housing and Waste Management (Item 8.1 – 8.6 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The action of the Head of Housing and Waste Management following consultation with the Housing Portfolio Leader regarding the submission of a bid for £25,987 of grant funding from the “Renewable Heat Premium Payment Social Landlords Scheme” be confirmed.
- (B) The successful outcome of the bid be noted and scheme approval and permission to spend be granted to install solar thermal hot water systems to 13 Council properties as part of the 2013-14 central heating programme.
- (C) Pending the receipt of the grant funding, £25,987 of agreed Housing Capital Programme expenditure be brought forward from 2014-15 to 2013-14.
- (D) A further report be submitted following evaluation of the scheme.

Reasons for Decisions

A bid for £25,987 of grant funding from the “Renewable Heat Premium Payment Social Landlords Scheme” had been made by the Council. The bid had been successful and would provide most of the funding to enable solar thermal hot water systems to be installed in 13 Council properties. The remainder of the required funding (£6,500) could be accommodated within the agreed 2013-14 central heating replacement budget.

The deadline for bids was 27 September 2013 and it was not possible to formulate the Council’s bid submission to meet the 19 September Cabinet report deadline. As a result, the bid was submitted following consultation with the Housing Portfolio Leader and confirmation of action was, therefore, sought.

The 13 solar thermal hot water systems would be provided to the 13 properties in conjunction with other central heating works as part of the 2013-14 central heating programme. However, in accordance with the Council’s agreed Capital Expenditure Control Procedures, scheme approval was sought (retrospectively in respect of one property where the works had already been implemented) to undertake the additional solar thermal works.

The £25,987 of grant funding would not, however, be paid until 2014-15. It was therefore necessary to bring forward an equivalent amount of expenditure from the agreed 2014-15 central heating replacement budget to

fund the scheme. This would have no adverse impact on the 2014-15 central heating programme and the required adjustments would be made when the 2014-15 Housing Revenue Account Capital Programme was formulated.

The scheme would be monitored in order that the potential benefits could be fully evaluated and the results of the exercise would be the subject of a further Cabinet report.

104. Consultation on Rents for Social Housing from 2015-2016

Consideration was given to the Report of the Head of Housing and Waste Management (Item 9.1 – 9.6 of the Official Minutes of the Council).

RESOLVED:

That

- (A) The Council's response to the Department for Communities and Local Government consultation paper "Rents for Social Housing from 2015-16" as set out in Appendix 1 to the report be agreed.
- (B) As the Council's response to the consultation paper needed to be submitted to the Department for Communities and Local Government by 24 December, 2013, call-in procedures in relation to recommendation (A) should not apply.
- (C) A future report be submitted to Cabinet regarding the Council's rents policy for households with an annual income over £60,000.

Reasons for Decisions

The DCLG had published a consultation paper which set out the Government's proposed rent policy for social housing from April, 2015.

The paper proposed two significant changes:-

- (i) Annual rent increases would change from the Retail Price index plus 0.5% and up to £2 per week, to a limit of the Consumer Price Index plus 1%. As a consequence the requirement to achieve rent convergence would no longer apply.
- (ii) Social landlords would be able to charge higher rents to social tenants households with incomes of over £60,000 per year. Legislation was, however, needed to require social tenant households to declare this to their landlords.

The Government made a commitment to implement the policy for the next 10 years, which would provide certainty regarding future rental income. It was, therefore, considered that the principles of the policy were supported.

There was, however, concern regarding the proposals to enable higher rents to be charged to households with incomes of over £60,000. It was considered that the cost of implementing any policy did not justify the limited benefits from charging a small number of tenants (if there were any in Cannock Chase) higher rents.

A proposed response to the consultation paper had been formulated following consultation with the Housing Portfolio Leader, which was attached as Appendix 1 to the report. Views on the consultation paper needed to be received by 24 December 2013 and as a result it was proposed that call-in procedures should not apply.

Following the publication of the Government's revised social rent guidance, it would be necessary for the Council to determine its rents policy with regard to (any) households with an annual income of over £60,000.

105. Provision of Solid Wall Insulation

Consideration was given to the Report of the Head of Housing and Waste Management (Item 10.1 – 10.5 of the Official Minutes of the Council).

RESOLVED:

That the provision of external insulation and associated works to the 86 solid wall properties on the estates identified in Appendix 1 to the report be brought forward, within the External and Environmental Works Programme, to 2014-15.

Reasons for Decision

External insulation was being provided to 467 Council owned solid wall properties as part of the agreed External and Environmental Works Programme.

The works were being partly funded through Energy Company Obligation Resources and as a requirement of the agreement with British Gas, the external insulation work to all 467 properties had to be completed by 31 March, 2015.

Whilst 381 properties formed part of the agreed 2013-14 and 2014-15 External and Environmental Works Programmes, 86 properties were included in the programmes for 2015-16 and subsequent years.

It was, therefore, proposed that the provision of external insulation and associated works to the 86 properties (situated on the estates set out in Appendix 1 to the report) were brought forward to 2014-15. Other external and environmental works would be undertaken in accordance with the original programme, at the same time as other properties on the estates.

106. Glover Street Garage Site, Wimblebury

Consideration was given to the Report of the Head of Housing and Waste Management (Item 11.1 – 11.8 of the Official Minutes of the Council).

RESOLVED:

That

- (A) The tenancies of the occupied garages at the Glover Street garage site, Wimblebury be terminated, with the existing garage tenants being given priority for the allocation of a garage on an alternative site.
- (B) The site (as shown on the plan attached as Appendix 1 to the report) be disposed of for residential development on terms and conditions agreed by the Head of Planning and Regeneration.

Reasons for Decisions

The Council's garage site at Glover Street, Wimblebury had a "derelict" appearance and was the subject of complaints.

Seven of the 14 garages were vacant and there was no "new" demand for garages on the site. The cost of the required repair work (which included renewal of the garage site surface) was estimated to be £47,000 and in view of the lack of demand for garages on the site was considered to be uneconomic.

It was, therefore, proposed, in accordance with the Council's policy of "garage rationalisation" to terminate the remaining garage tenancies (with the existing garage tenants being given priority for the allocation of a garage on an alternative site) and dispose of the site for residential development.

Consideration had also been given to using the site to provide 4 two bedroom Council houses. However, as a result of the site's restricted size, it was not possible to accommodate houses which met the Council's agreed space standards.

107. Local Council Tax Reduction Scheme

Consideration was given to the Report of the Head of Finance (Item 12.1 – 12.10 of the Official Minutes of the Council).

RESOLVED:

That Council be recommended to formally adopt the Local Council Tax Reduction Scheme given at Appendix B to the report, and summarised at Appendix A, to the report, with effect from 1 April, 2014.

Reasons for Decisions

Council formally adopted its 2013-14 scheme at its meeting on 23 January 2013. The national Council Tax Benefit Scheme was abolished with effect from 1 April 2013 and each Billing authority replaced this with its own local scheme.

Government grant in respect of the local scheme was 10% lower than the funding for the previous Council Tax Benefit scheme. The reduction in funding equated to a saving requirement in the region of £780,000 for the Council.

Legislation required Council Tax support for pensioners to be protected at the level of the Council Tax Benefit Scheme, thereby increasing the burden on other groups. Pensioners represent 48% of Council Tax Benefit expenditure in Cannock Chase, meaning that a 19% reduction was required from working aged claimants.

A working party, lead by the Cannock Chase Revenues and Benefits Service, agreed similar, though not identical, schemes to be adopted, amongst the Billing authorities in Staffordshire.

Officers had continued to monitor the impact of the local scheme on claimants and wherever possible, residents who were adversely affected by the change to local scheme had been contacted, in most cases several times, to encourage the take up of help in managing the changes. This support could take several different forms including the payment of discretionary awards of Council tax Support and assistance with budgeting, to manage changes.

Changes of the significance of the introduction of Localisation of Council Tax Reduction, would inevitably take time to settle in, and for people to come forward and claim all that they were entitled to. On that basis the current scheme appeared to be working reasonably well and the evidence available to date would not support significant changes for year 2.

One alteration to the scheme, to be effective from 1 April 2014 was recommended, in relation to the treatment of Child Maintenance payments, as a consequence of the monitoring of year 1 activity.

108. Replacement Specialist Grounds Maintenance Machinery

Consideration was given to the Report of the Head of Commissioning (Item 13.1 – 13.5 of the Official Minutes of the Council).

RESOLVED:

That

(A) Council on 15 January 2014 be requested to establish a budget of

£330,000 for the replacement of 17 items of specialist grounds maintenance machinery as part of the 2013-14 General Fund Capital Programme, funded from the virement of agreed resources through a Revenue Contribution to Capital Outlay.

- (B) Scheme approval and permission to spend in relation to the purchase of the grounds maintenance machinery be agreed.

Reasons for Decisions

It was necessary to procure replacement machinery to deliver the Council's grounds maintenance service and contract. The existing items of machinery in use were on short term hire and reaching the end of their useful life and were more likely to be subject to breakdowns. As such, it had been identified that the machinery be replaced ideally before the start of the next financial year. Given that the lead in time for such items of specialist machinery was typically around 16 weeks it was necessary to commence the procurement process promptly in order to expedite delivery for the early part of 2014 -15.

The purchase of the specialist machinery would ensure an uninterrupted service; reduce maintenance time as well as helping lower the impact of the fleet on the environment.

A purchasing option had been considered and compared to the existing hire arrangements when looking at replacing the grounds maintenance machinery and as a result it had been determined that outright purchase was the preferred option. It was therefore proposed to purchase the 17 items through a Framework Agreement and an allowance had also been taken into account to provide specialist maintenance support when required. Maintenance arrangements would be made through a separate procurement exercise to ensure continuity of service.

Given the need to ensure the machinery was in place for the next financial year it was recommended that a provisional capital budget of £330,000 was provided for to purchase the 17 items of machinery. This would be funded through the 2013-14 General Fund Capital Programme and it was recommended that Council be requested to establish the required capital programme budget. This would be funded from a Revenue Contribution to Capital Outlay, through virement, from the existing agreed revenue budget.

Subject to Council establishing the required capital programme budget, scheme approval and permission to spend in relation to the purchase of the 17 items of machinery was also sought.

109. Pest Control Service – Two Year Review

Consideration was given to the Report of the Head of Environmental Health (Item 14.1 – 14.5 of the Official Minutes of the Council).

RESOLVED:

That

- (A) The provision of a free service for the treatment of wasps nests cease with effect from 1 April, 2014; and
- (B) Charging for wasps' nests treatments undertaken by the Council's appointed pest control contractor be reintroduced with effect from 1 April, 2014. The level of charge and mechanism for recovering it to be negotiated with the contractor.

Reasons for Decisions

The current pest control contract commenced on 1 April, 2012 and was due to end on 31 March, 2014. A free of charge pest control service for rats, mice, cockroaches, bedbugs, fleas and wasps was provided in domestic premises to all residents. The Council's free service for a range of pests was increasingly rare amongst local authorities in the current economic climate.

The pest control service was provided via a contractor at an annual cost of £36,000 which included a fixed sum of £12,000 for wasps nest treatments.

In accordance with the Proposals for Service Development (Approved as part of the 2012-13 Budget) the pest control service was extended to the provision of free wasps nest treatments subject to the service being reviewed at the end of the initial two year contract period).

110. Air Quality Action Plan

Consideration was given to the Report of the Head of Environmental Health (Item 15.1 – 15.81 of the Official Minutes of the Council).

RESOLVED:

That the outcome of the consultation process be noted and the draft Air Quality Action Plan be approved.

Reasons for Decisions

The Council declared an Air Quality Management Area (AQMA) in 2006 and in accordance with the requirements of the Environment Act 1995 consulted on the measures considered appropriate to address air pollution in the defined area.

A draft Air Quality Action Plan was prepared and further consultation had taken place on the options identified in the Plan. The responses had been considered and used to inform the final Plan.

The implementation of the options identified in the AQAP would be

progressed following its approval by the Cabinet.

111. Trial Street Market in Cannock Town Centre

Consideration was given to the Report of the Head of Planning and Regeneration (Item 16.1 – 16.7 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The action of the Head of Planning and Regeneration, in consultation with the Portfolio Leader for Town Centre Regeneration, in agreeing to introduce a street market in Cannock Town Centre every Friday for a 6 month trial period operated by Bescot Promotions be endorsed.
- (B) The terms for the street market trial set out in Appendix 1 to the report be endorsed, and the Head of Planning and Regeneration in consultation with the Portfolio Leader for Town Centre Regeneration be authorised to vary the terms as may be necessary to ensure that the market operates satisfactorily within the town centre.
- (C) £5,000 of the High Street Innovation Fund monies be used to support the introduction of street markets in all 3 of the District's town centres.

Reasons for Decisions

Bescot Promotions, who operate markets in Walsall, Wednesbury and Halesowen had approached the Council with a proposal to operate a regular street market in Cannock Town Centre. The proposal was considered worthy of support on a trial basis, and it was hoped that the introduction of a well run street market would add vibrancy and value to the Town Centre. The aim being to complement existing retail activities within the Town Centre and increase footfall for the benefit of all Town Centre businesses.

Initial terms had been agreed for Bescot Promotions to operate a street market in Market Place and Market Hall Street every Friday for a trial period of 6 months. The terms were attached at Appendix 1 to the report. Given that this was a new venture, authority was sought to vary the terms to ensure that the market operated satisfactorily and was given the best chance of success.

Cannock Traders Association and representative traders from Cannock Indoor Market had been consulted on the proposal. Whilst there were some reservations about competition, they were generally supportive of the trial. The market traders viewed it as an opportunity to increase their own trade from additional visitors to the Town Centre hopefully attracted by the street market. They requested that the street market ran up Market Hall Street to 'connect' to the indoor market.

The aim of the trial was to bring an additional attraction into the town centre

to try to capture extra shoppers at the busiest shopping time of the year. For this reason the street market trial commenced on 29 November under delegated authority.

The Council would not incur costs related to the operation of the market; these would be met by Bescot Promotions. The Council could support additional promotion and street entertainment intended to improve the success of the market. Similarly, the Council would support any of its existing market traders who wanted to take advantage of the new market. This type of initiative was promoted by Mary Portas in her report on the future of the high street and it was recommended that £5000 be reserved from the High Street Innovation Fund monies to meet the Council's share of any costs in supporting street markets in all three of the District's town centres.

Owing to the complicated legislation around markets, the most appropriate manner of control for the Council was to proceed under street trading legislation for the length of the trial period. At the end of the trial period the Council would review with Bescot Promotions and town centre stakeholders whether or not the market had been successful and had achieved the aims of making the town centre more attractive to shoppers. If the trial was considered to have been successful the Council could consider a competitive exercise to run a street market in Cannock Town Centre on a long term basis. It could also consider exploring opportunities to agree similar arrangements with private market operators in respect of Hednesford and Rugeley Town Centres.

112. 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, 2 and 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, 19 DECEMBER, 2013 AT 4:00 P.M.

IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 2

113. Request for Flexible Retirement

Consideration was given to the Not for Publication Report of the Head of Housing and Waste Management (Item 18.1 – 18.3 of the Official Minutes of the Council).

RESOLVED:

That the payment of actuarial strain resulting from the flexible retirement of employee number SA021 be agreed.

Reasons for Decision

A request for flexible retirement had been received from an employee within the Waste and Engineering Section.

It was considered that as a result of efficiencies within the service, the administration work could be provided as part of 22.2 hours per week service, a reduction of 14.8 hours. As a result, and following Cabinet approval for the payment of the resultant actuarial strain, it was agreed that the request be granted.

114. Former Tenants' Arrears Recommended for Write-Off

Consideration was given to the Not for Publication Report of the Head of Housing and Waste Management (Item 19.1 – 19.5 of the Official Minutes of the Council).

RESOLVED:

That the former tenant arrears as detailed in Appendix 1 to the report be approved for write-off.

Reason for Decision

Appendix 1 presented ten former tenants' arrears cases of £1,000 or above which could not be collected for the reasons stated. The arrears totalled £22,175.91, and were recommended for write-off in accordance with the

Council's policy.

The meeting closed at 5.15 pm

LEADER