

**CANNOCK CHASE COUNCIL**

**MINUTES OF THE MEETING OF THE**

**CABINET**

**HELD ON THURSDAY, 23 JULY 2015 AT 4:00 P.M.**

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

**PART 1**

PRESENT: Councillors:

Bennett, C.	Crime and Partnerships Portfolio Leader
Mitchell, Mrs. C.	Culture and Sport Portfolio Leader
Dudson, A.	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

In the absence of the Leader and Deputy Leader, Councillor Allen took the Chair.

**15. Apologies**

Apologies were submitted on behalf of Councillors G. Adamson, Leader of the Council, who was attending a Greater Birmingham and Solihull L.E.P. meeting; and G. Alcott, Deputy Leader and Economic Development and Planning Portfolio Leader, who was attending a Pensions Board training course; and A. Lovell, Corporate Improvement Portfolio Leader, who was delayed in traffic.

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

<u>Member</u>	<u>Interest</u>	<u>Type</u>
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No other Declarations of Interest were made in addition to those already confirmed by Members in the Register of Members' Interests.

**17. Updates from Portfolio Leaders**

**Crime and Partnerships**

Safer Neighbourhoods / Review of Policing – The Portfolio Leader advised that he had recently attended a Safer Neighbourhoods meeting at which the Police representatives had indicated that they were in the early planning stages of a review to modernise delivery of policing. Further information and more detailed consultation with partners and the public would follow in due course.

## **Culture and Sport**

Green Flag Awards – The Portfolio Leader advised that the Council had retained Green Flags at Cannock Park, Ravenhill Park, Elmore Park and Castle Ring, and had also gained a Green Flag for Stile Cop Cemetery, making it one of the top performing Council's for Green Flag Awards for Parks and Open Spaces in the West Midlands and Staffordshire.

## **Town Centre Regeneration**

Mill Street Underpass – The Portfolio Leader advised that work on the underpass was nearing completion and an official 'opening' would be held on 7 August, 2015, to which Members would be invited. A story had been published in the Express and Star, and reports had featured on both BBC and ITV local television stations. All feedback received to date had been positive.

### **18. Minutes of Cabinet Meeting of 25 June, 2015**

RESOLVED:

That the Minutes of the meeting held on 25 June, 2015, be approved as a correct record and signed.

### **19. Forward Plan**

The Forward Plan of Decisions for the period July to September, 2015 (Item 5.1 of the Official Minutes of the Council) was considered.

RESOLVED:

That the Forward Plan of Decisions for the period July to September, 2015, be noted.

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

None received.

### **21. Housing Revenue Account Capital Programme 2014-15 and 2015-16**

Consideration was given to the Report of the Acting Head of Housing (Item 7.1 – 7.25 of the Official Minutes of the Council).

RESOLVED:

That:

(A) The position with regard to actual expenditure in respect of the 2014-15 Housing Revenue Account (HRA) Capital Programme be noted, and approval be given to incur £164,170 of additional scheme costs met through the virement of existing resources in respect of the following schemes:

- (i) Void Properties (Decent Homes) - £162,450
- (ii) Structural Reinstatement of PRC Dwellings - £ 1,720

(B) The reprogramming/slippage of £690,770 of expenditure from the 2014/15 HRA Capital Programme to the 2015/16 Capital Programme, as agreed

by the former Head of Housing and Waste Management, for the reasons detailed in Appendix 3 of the report, be noted.

- (C) The £80,230 of expenditure which has been brought forward from the 2015-16 HRA Capital Programme, to the 2014-15 HRA Capital Programme, as agreed by the former Head of Housing and Waste Management, for the reasons detailed in Appendix 3 of the report, be noted.
- (D) The availability and use of resources in financing the 2014-15 HRA Capital Programme be noted, including the £3,640,620 of resources carried forward to 2015-16.
- (E) The current position with regard to estimated expenditure in respect of the 2015-16 HRA Capital Programme be noted, and approval be given to incur £36,000 of additional scheme costs met through the virement of existing resources on the Replacement of Fire Alarms in sheltered housing schemes.
- (F) The current position regarding the estimated availability of capital resources in 2015-16 be noted.

#### Reasons for Decision

The report presented the outturn expenditure and use of resources in respect of the 2014-15 HRA Capital Programme and reviewed the 2015-16 HRA Capital Programme in the light of the outturn expenditure and use of resources for 2014-15.

Details of the outturn expenditure for 2014-15 were presented as part of Appendix 1 to the report. Actual expenditure at 31 March 2015 was £10,835,760 compared to the revised estimate of £11,483,760 reported to Cabinet on 29 January 2015. The reasons for this decrease of £648,000 were detailed in Appendix 3.

Details of the outturn resources for 2014-15 were presented as part of Appendix 2 to the report. A total of £14,476,380 was available at 31 March 2015 compared to £14,501,420 reported to Cabinet on 30 January 2015. The reasons for this decrease of £25,040 were detailed in Appendix 4.

A total of £3,640,620 of capital resources was available after financing the 2014-15 HRA Capital Programme. This compared to £3,017,660 reported to Cabinet on 29 January 2015, an increase of £622,960. A total of £3,640,620 of unused resources had therefore been carried forward to 2015-16.

Expenditure in respect of the 2015-16 HRA Capital Programme was now estimated to be £13,694,540. This compared to £12,624,000 when Council determined the programme on 11 February 2015. The reasons for this increase of £1,070,540 were detailed in Appendix 5 to the report, and included £36,000 of additional expenditure for which approval was sought.

Estimated available resources in 2015-16 were now forecast to be £15,921,390. This compared to £14,580,000 when Council determined the programme on 11 February 2015. The reasons for this increase of £1,341,390 were detailed in Appendix 6.

Following the financing of the estimated 2015-16 HRA Capital Programme, £2,226,850 of resources were anticipated to be available and if not required

during 2015-16 would be carried forward to 2016-17.

## **22. Housing Revenue Account Provisional Outturn 2014-15**

Consideration was given to the Report of the Acting Head of Housing (Item 8.1 – 8.8 of the Official Minutes of the Council).

RESOLVED:

That the provisional outturn for the 2014-15 Housing Revenue Account Budget be noted.

### Reasons for Decisions

The report presented the provisional outturn for the 2014-15 Housing Revenue Account Budget, as set out in Appendix 1 to the report.

Income at 31 March was £20,263,250 compared to the revised budget position of £20,513,530 reported to Council on 11 February 2015. The £250,280 decrease related primarily to a reduction in rent income due to an increased number of void dwellings.

Expenditure at 31 March 2015 was £19,432,070 compared to the revised budget position of £19,455,370 reported to Council on 11 February 2015. The £23,300 decrease in expenditure related primarily to savings in supervision and management, offset by additional costs in relation to repairs and maintenance and capital financing.

As a result of these changes, the net surplus of £1,058,160 (as reported to Council on 11 February 2015) had reduced (by £226,980) to £831,180

Working balances at 31 March 2015 were £3.626 million compared to the £3.853 million reported to Council on 11 February 2015.

## **23. End of Year Performance Report 2014-15**

Consideration was given to the Report of the Head of Governance (Item 9.1 – 9.43 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The performance information and case studies related to Priority Delivery Plans (PDPs) as detailed at Appendices 1-8 of the report be noted.
- (B) The actions and indicators which are rated Red or Amber and confirm the remedial action or rescheduled delivery stated to address performance 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 of the report. The overall rankings for each Portfolio area were detailed in Section 5, indicating that 81.4% of targets had been achieved during 2014/15. The decisions reflect that this performance and any subsequent rescheduling were noted.

## **24. Corporate Plan and Priority Delivery Plans**

Consideration was given to the Report of the Head of Governance (Item 10.1 – 10.7, plus appendices, of the Official Minutes of the Council).

RESOLVED:

That Council, at its meeting to be held on 12 August, 2015, be recommended to:

- (A) Adopt and approve for publication the Corporate Plan 2015-18, that details the Council's core values, mission and priorities, together with the Priority Delivery Plans and the Locality Partnership Plan for the financial year 2015/16.
- (B) Approve the proposed changes to the Policy Development and Scrutiny Committee structures as set out in paragraph 5.5 of the report, with effect from 1 September, 2015.

It was noted that this would enable the scheduled meeting of the Scrutiny Committee to take place on 25 August, 2015 to consider the Annual Performance Report 2014-15.

### Reasons for Decisions

The Corporate Plan 2015-18 superseded the Council's previous Corporate Plan 2011-14 setting out the revised mission, values, priorities and strategic objectives of Cannock Chase District Council for the next three years.

The supporting Priority Delivery Plans (PDPs) were the annual documents that set out how the Council would achieve progress against its strategic objectives; the plans establish the actions, performance measures and timetables for delivery that form the basis of the Council's quarterly and annual performance reporting framework.

The proposed amendments to the scrutiny and policy committee framework would rationalise the existing structure in line with the revised Council priorities and objectives as set out in the new Corporate Plan: to ensure clear scrutiny arrangements were in place for each Cabinet Member Portfolio; and to deliver financial savings.

## **25. Cannock Chase Community Infrastructure Levy Funding Decisions Protocol**

Consideration was given to the Report of the Head of Economic Development (Item 11.1 – 11.11 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The recommended procedures set out in the proposed Protocol for Allocation of Community Infrastructure Levy (CIL) Funds set out at paragraphs 5.1 to 5.9 of the report be adopted.
- (B) Authority be given to the Head of Finance and Head of Economic Development to design an application form for use by all potential bidders for CIL funds to cover the key points set out in paragraph 5.13 of the report.

## Reasons for Decisions

The Council approved the CIL Charging Schedule and Regulation 123 List of infrastructure projects eligible to receive funding in the first year of operation of CIL at its meeting on 15/04/2015. CIL came into effect in relation to relevant chargeable development on 01/06/2015.

CIL was intended to provide a significant funding stream for infrastructure needed to support the policies and proposals in the adopted Local Plan. It will partly replace funding previously obtained via Planning Obligations (S106 agreements and Unilateral Undertakings) which had become more limited in scope in relation to pooling of funds from 5 or more obligations as a result of Regulations which came into effect on 06/04/2015. Funding obtained or committed to be delivered from Planning Obligations completed in Cannock Chase District before 01/06/2015 could be added to CIL funds to deliver projects on the R123 list where the terms of the Obligation provide for this, but any Obligation completed on or after 01/06/2015 could not provide funding for R123 projects.

The report to Council on 15/04/2015 proposing the adoption of CIL from 01/06/2015 noted that the following processes required to be set up to authorise allocation of CIL funds needed to be the subject of a further report -

- A protocol for allocation of funds to external infrastructure providers with projects on the R123 list – initially this would include Staffordshire County Council, Network Rail and the Environment Agency.
- Part of the same process in relation to authorising spend on Cannock Chase Council capital projects and determining how the process of allocating the 15% of CIL receipts collected in Non-Parished areas of the District, which can be used not only to deliver infrastructure, but anything else which is concerned with addressing the demands development places on the area, would be handled.
- The procedure for annual review of the R123 list of projects.

The timetable for decision making on these matters needs to fit with the Council's annual budget processes. The table set out at paragraph 5.9 of the report proposes the processes and timescales to enable this to be achieved. The rest of section 5 of the report identified potential bidders, made recommendations on the criteria to be used in assessing bids, explained the relationship with S106 funds and summarised the annual reporting requirements.

## **26. 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**  
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**HELD ON THURSDAY, 23 JULY, 2015 AT 4:00 P.M.**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**

**PART 2**

**27. Debt Recovery**

Consideration was given to the Not for Publication Report of the Head of Finance (Item 13.1 – 13.20 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 Decision

Council Tax

Appendix 1 to the report contained a list of Council Tax arrears over £1,000 which could be collected for the reasons stated. The Appendix included 26 cases with arrears totalling £50,318.59.

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

Non-Domestic Rates

Appendix 2 was a list of Non-Domestic arrears over £1,000 which could be collected for the reasons stated. The Appendix included 16 cases with arrears totalling £99,410.10.

Some of the Business Rates debts were being recommended for write-off on the grounds of insolvency of the companies that previously occupied properties. It is 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 be held liable for rates due from the insolvent company. Members can be assured that we only submit these debts for write-off, when we are sure that they cannot be recovered.

Housing Benefit Overpayments

Appendix 3 to the report was a list of Housing Benefit Overpayments with arrears over £1,000 which could be collected for reasons stated. The Appendix included 10 cases with arrears totalling £23,087.26.

**28. Disposal of Land at Delta Way, Cannock**

Consideration was given to the Not for Publication Report of the Head of Economic Development (Item 14.1 – 14.4 of the Official Minutes of the Council).

**RESOLVED:**

That it be noted that Cabinet notes that the Head of Economic Development had, under delegated authority, disposed of the Council's freehold interest in its land at Delta Way, Cannock following receipt of an unsolicited offer considerably in excess of the estimated market value of the site.

Reasons for Decision

The Council owned the freehold interest in approximately 1.25 acres of land at Delta Way, Cannock. The site was leased to Staffordshire County Council for a term of 75 years from 25 December, 1984. The County Council constructed 10 industrial units on the site and managed them as "Delta Way Workshop Units". The District Council received a rental income from the County Council equivalent to 25% of the net rent paid by the tenants of the industrial units.

The County Council resolved to dispose of its leasehold interest in the site and last year approached the District Council to see if the District Council wanted to enter into a joint marketing exercise to simultaneously dispose of both parties' interests. Initially, the County Council was advised that the District Council did not wish to enter into joint marketing agreement as the interest on the estimated capital receipt was not expected to exceed rental income if it retained its freehold interest in the land and continued to receive 25% of the net rent paid.

The County Council offered its leasehold interest for sale on the open market and subsequently accepted an offer. Following acceptance of this offer and during contract negotiations with the County Council the purchaser of the leasehold interest advised that he also wished to purchase the District Council's freehold interest. An unsolicited offer was subsequently submitted via his solicitor for the District Council's freehold interest.

The meeting closed at 4.45 p.m.

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LEADER