

**CANNOCK CHASE COUNCIL**

**MINUTES OF THE MEETING OF THE**

**CABINET**

**HELD ON THURSDAY, 21 NOVEMBER, 2013 AT 4:00 P.M.**

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

**PART 1**

PRESENT: Councillors:

Adamson, G.	Leader of the Council
Holder, M.	Deputy Leader of the Council and Crime & 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

**76. Apologies**

Apologies for absence were submitted on behalf of Councillor Mrs. D. Todd, Town centre Regeneration Portfolio Leader.

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

Mitchell, Mrs. C.	Member of Staffordshire Fire and Personal Rescue Service
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No other Declarations of Interests were made in addition to those already confirmed by Members in the Register of Members' Interests.

**78. Updates from Portfolio Leaders**

**Crime and Partnerships**

"It's Never Okay" Campaign 2013 - The Portfolio Leader advised that the Chase Community Partnership was preparing to launch the current "It's Never Okay" campaign which sought to reduce alcohol related crime and domestic violence which increased noticeably over the festive period.

**Culture and Sport**

Chase Creative Hub – The Portfolio Leader reported that there had been a

launch event for the Chase Creative Hub held at the Prince of Wales Centre in October. The Hub sought to bring together like minded creative individuals and business living and working in the Cannock Chase District, and its objectives were promoting, connecting and developing the local creative sector through support, marketing and advocacy.

## **Economic Development and Planning**

Cannock Chase Local Plan (Part 1) - The Portfolio Leader advised that the Local Plan (Part 1) set out the strategic and development management policy for the District up to 2028 to help shape the way in which its physical, economic, social and environmental characteristics would change, bringing together the former emerging Core Strategy and Rugeley Town Centre Area Action Plan into one document. It was a Development Plan Document produced under the Planning and Compulsory Purchase Act 2004, as amended.

Following Publication of the Local Plan (Part 1) representations were invited and made and the documents and information were submitted to the Secretary of State for independent examination on 31 May, 2013. As part of the examination hearings held on 24 to 27 September, 2013, issues of legal compliance and 'soundness' were identified. Post Submission Modifications were proposed to address these issues and the consultation provided those with an interest in Local Plan (Part 1) to make representations, stating whether the proposed Main Modifications address these matters of legal compliance and 'soundness' by 5:00pm on Wednesday, 18 December, 2013. The representations would be considered by the Planning Inspector conducting the examination.

The Portfolio Leader advised that representations should only relate to the main modifications, as the consultation was not an opportunity to repeat or raise further representations about the published plan, or to seek further changes to it.

Rugeley Town Centre Partnership Scheme - The Portfolio Leader advised that the opportunity for owners of historic commercial buildings in Rugeley to apply for grants to help fund repair would close in March, 2014. The scheme was funded by a partnership comprising Cannock Chase Council, Staffordshire County council and English Heritage, and the first projects were completed in Anson Street earlier in the year. Several further schemes were progressing and interest in the final grants was invited on a first come first served basis.

The scheme helped businesses make repairs in Rugeley's town centre conservation area by contributing to more than half the cost of the works, using traditional materials and repair methods based on the advice of conservation accredited architects and engineers to extend the buildings lives.

## **Environment**

Gritting of Car Parks - The Portfolio Leader reported that he had visited Hawks

Green depot and he was pleased to report that the gritting team had been on standby since 1 November in readiness for gritting Council car parks if required, and had in the region of 35 tonnes of grit available for immediate use.

## **Housing**

Housing Maintenance Apprenticeships - The Portfolio Leader advised that three apprentices from the Cannock Chase area had recently been appointed to work in the Housing Maintenance Section. Two occupied new posts which were established as a "growth item" in the 2013-14 Housing Revenue Account budget. The third replaced an existing apprentice who had completed his bricklaying training and was now working as a support operative within the section.

The three apprentices would be attending South Staffordshire College as part of their training. Two would be studying for their NVQ Level 2 in carpentry, whilst the third would be studying for an NVQ Level 2 in painting and decorating. The Housing Maintenance Section establishment now had 4 apprenticeship posts. The fourth apprentice was nearing completion of a multi-skill qualification, having already obtained a plumbing qualification.

In addition to employing apprentices directly the Council was also working with external contractors to create additional apprenticeships and work placements. Two work placements were created by Keepmoat as part of the PRC house structural reinstatement work and as a result of this, both of the appointments had now gained full-time apprenticeships. Another two apprenticeships had recently been created by Proframe Limited as a result of the double glazing and window refurbishment.

The Portfolio Leader said he believed that the Council's action with regard to apprentices was setting an example to other employers in the District and was making a small contribution to tackling youth unemployment in the Cannock Chase area. In conjunction with the Portfolio Leader for Economic Development and Planning, he had arranged for a press release on this issue to be prepared.

Additional Affordable Housing – Huntington Terrace Road, Chadsmoor – The Portfolio Leader advised that the Wrekin Housing Trust had announced that they were to develop 6 houses for affordable rent on the site of the former "Moon under the Water" public house, in Chadsmoor. The 6 houses would comprise 5 two bedroom houses and 1 three bedroom house.

The scheme was being part funded by the Homes and Communities Agency and as a result the houses would be let at affordable rents. This would result in rents of £102 per week being charged for the two bedroom houses and £116 per week for the three bedroom house.

The development would to be built by Jessup Brothers and demolition of the former pub was programmed to take place before Christmas. The construction of the new houses would then commence early in the new year with

completion programmed for September 2013.

The Council would be able to nominate applicants for 50% of the properties, with the remainder being allocated by the Wrekin Housing Trust to applicants with a local connection to the Cannock Chase area.

**79. Minutes of Cabinet Meeting of 17 October, 2013**

RESOLVED:

That the Minutes of the meeting held on 17 October, 2013 be approved as a correct record and signed.

**80. Forward Plan**

The Forward Plan of Decisions for the period November, 2013 – January, 2014 (Item 5.1 – 5.2 of the Official Minutes of the Council), was considered.

RESOLVED:

That the Forward Plan of Decisions for the period November, 2013 – January, 2014, be noted.

**81. 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 – 6 August, 2013
- (ii) Economic Development and Planning – 30 July, 2013
- (iii) Environment – 22 August, 2013
- (iv) Housing – 12 August, 2013

**82. Recommendations from the Housing Policy Development Committee of 21 October, 2013, in respect of:**

Consideration was given to the following recommendations received from the Housing Policy Development Committee held on 21 October, 2013 in respect of:

1. Reinvigorating the Right to Buy

“That Cabinet, at its meeting to be held on 21 November 2013, is recommended to not include any further articles in the Council’s

'Hometalk' magazine, on the basis that tenants are already aware of the Right to Buy policy changes through the Autumn 2012 'Hometalk' article."

2. Introduction of a 52 Week Rent Year

"That Cabinet, at its meeting to be held on 21 November 2013, is recommended to introduce a 52 week rent year for 2014-15 and subsequent years."

RESOLVED:

That, in respect of:

(A) Reinvigorating the Right to Buy

No further articles be included in the Council's 'Hometalk' magazine, on the basis that tenants are already aware of the Right to Buy policy changes through the Autumn 2012 'Hometalk' article.

(B) Introduction of a 52 Week Rent Year

A 52 week rent year be introduced for 2014-15 and subsequent years.

**83. Mandatory and Discretionary Rate Relief Policy from 2014**

Consideration was given to the Report of the Head of Finance (Item 7.1 – 7.14 of the Official Minutes of the Council).

RESOLVED:

That:

(A) The contents of the report be noted.

(B) The Mandatory and Discretionary Rate Relief Policy included as Appendix 1 to the report be approved.

Reasons for the Decisions

The policy sought to continue and enhance the Council's system of awarding rate relief and to facilitate members' views on changes to the Council's framework for decision making, whilst at the same time adhering to the strict financial controls needed to protect the interests of local Council Tax payers and General Fund.

Individual consideration of the merits of each application was an essential part of any discretionary process which had, on occasions, resulted in a different rate of relief being awarded. An opportunity existed to incorporate the outcome of previous discussions into the new framework and policy.

Every application would continue to be scrutinised against the new framework and rates of relief would be varied, where appropriate.

#### **84. Review of the Housing Revenue Account Capital Programme 2013-14**

Consideration was given to the Report of the Head of Housing and Waste Management (Item 8.1 – 8.15 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The position regarding the estimated availability of Housing Revenue Account Capital resources set out in Appendix 1 to the report be noted.
- (B) The position regarding actual and estimated expenditure in respect of the 2013-14 Housing Revenue Account Capital Programme as set out in Appendix 2 be noted and approval be given to incur £85,000 of additional scheme costs in respect of the following schemes:-
  - (i) Disabled Facilities Works - £60,000
  - (ii) Asbestos Testing and Removal - £25,000
- (C) The position regarding uncommitted Housing Revenue Account Capital Resources be noted.
- (D) Subject to the concurrence of Scrutiny Committee, the following adjustments be made to the dwelling outputs in respect of Disabled Facilities Works and Kitchen Replacement within the 2013-14 Place Priority Delivery Plan:-
  - (i) Disabled Facilities Works - 98 dwellings
  - (ii) Kitchen Replacement - 88 dwellings

#### Reasons for the Decisions

The report presented the quarter two review of the 2013-14 HRA Capital Programme.

Amended estimated resources for 2013-14 were now forecast to be £15,694,994 as set out in Appendix 1 to the report; compared to the estimate of £16,106,994 when the programme was reviewed on 25 July, 2013. The reasons for this net decrease in resources (£412,000) were set out in Appendix 3 to the report, and included a reduction in Energy Efficiency Monies as a result of Government changes to the Energy Company Obligation Scheme. Actual expenditure at 30 September 2013 totalled £5,182,452 and represented 40.2% of the previously agreed expenditure target.

Estimated expenditure for 2013-14 was now forecast to be £13,097,800, compared to the estimate of £12,889,800 when the programme was reviewed on 25 July, 2012. The reasons for this net increase of £208,000 were set out in Appendix 4 to the report, and included £85,000 of additional expenditure on two schemes for which approval was sought.

Following the financing of the estimated 2013-14 HRA Capital Programme it was now estimated that £2,597,194 of uncommitted resources were anticipated to be available, compared to the estimate of £3,217,194 when the programme was reviewed on 25 July, 2013, a reduction of £620,000. Unless required during 2013-14 these resources would be carried forward to assist in financing the HRA Capital Programme for 2014-15 and future years.

The expenditure variations in relation to Disabled Facilities Works and the Kitchen Replacement Programme would result in changes to the dwelling outputs in the 2013-14 "Place" Priority Delivery Plan. It was proposed that these be amended in accordance with the revised outputs set out in paragraph 5.7 of the report.

## **85. Housing Revenue Account Business Plan Review**

Consideration was given to the Joint Report of the Head of Housing and Waste Management and the Head of Finance (Item 9.1 – 9.26 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The review of the Housing Revenue Account (HRA) Business Plan be noted including:-
  - (i) The base HRA Business Plan attached as Appendix 1 to the report.
  - (ii) The associated programme of capital expenditure attached as Appendix 2 to the report.
  - (iii) The revised HRA Business Plan assumptions attached as Appendix 3 to the report.
  - (iv) The changes in assumptions from the agreed Business Plan attached as Appendix 4 to the report.
  - (v) The risk analysis attached as Appendix 5 to the report.
  
- (B) Potential use of the £1.349 million of estimated additional expenditure capacity be considered when formulating proposed three year HRA revenue and capital budgets for the period 2014-15 to 2016-17.

### Reasons for the Decisions

The agreed HRA Business Plan had been reviewed as part of the 2014-15 budget process.

The review resulted in the formulation of an amended Business Plan (attached as Appendix 1 to the report) and an amended associated programme of capital expenditure (attached as Appendix 2). Details of the assumptions used in formulating the Business Plan were attached as Appendix 3, whilst details of the changes from the agreed Business Plan were set out in Appendix 4. A risk analysis of the Business Plan assumptions was also attached as Appendix 5.

In overall terms, the changes had a beneficial impact on the Business Plan and resulted in an estimated cumulative surplus of £1.349 million in Year 5 (2016-17).

Cabinet were asked to consider the potential use of the estimated additional expenditure capacity when formulating the proposed three year HRA revenue and capital budgets for the period 2014-15 to 2016-17.

### **86. Consultation on Statutory Social Housing Allocations Guidance – Qualification and Local Association**

Consideration was given to the Report of the Head of Housing and Waste Management (Item 10.1 – 10.8 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The Council's response to the Department for Communities and Local Government consultation paper "Providing Social Housing for Local People – Strengthening Statutory Guidance on Social Housing allocations, as set out in Appendix 1 to the report, be agreed.
- (B) As the Council needed to submit its consultation paper response to the Department for Communities and Local Government by 22 November 2013, call-in procedures in relation to recommendation (A) should not apply.
- (C) The proposed revised statutory Social Housing Guidance regarding qualification and local association in relation to the Housing Register, be considered as part of a future review of the Council's Allocations Policy.
- (D) New and existing Social Housing applications be encouraged to register on the Electoral Register and that the Council's Allocations Policy be amended as set out in Appendix 2 to the report.

### Reasons for the Decisions

The DCLG had published a consultation paper on proposed changes to the statutory Social Housing Allocations Guidance.

The Government believed that, as part of the qualification criteria for social housing, households should have lived in the local authority area for a period of two years or have a strong association with the local area before they could join the Housing Register. The Government had, however, also proposed that exceptions should be made for households in special circumstances including existing tenants seeking to move between local authorities.

Whilst the Council's agreed Allocations Policy did not currently include a length of residence requirement, it was considered that this (or a strong family association) would ensure that all social housing was allocated to households who had a strong local connection with the Cannock Chase area. It was, therefore, considered that the principles of the proposed changes to the statutory guidance should be supported, although it was felt that the residency test should apply to all households regardless of tenure and that existing social housing tenants who transferred via the Housing Register between authorities should not be treated as an exception.

A proposed response to the consultation paper had been formulated following consultation with the Housing Portfolio Leader and was attached as Appendix 1 to the report. Views on the consultation paper needed to be received by the DCLG by 22 November, 2013 and, as a result, it was proposed that call-in procedures should not apply.

The Council's agreed Allocations Policy would need to be reviewed in the light of the proposed statutory guidance and it was considered that a length of residency qualification would need to be included as part of a revised policy. This would, however, be in accordance with the Council's proposed views on the consultation paper.

The key issue in implementing a length of residency qualification would be obtaining "proof" that an applicant had been resident in the District for the required length of time and a prime information service would be the Electoral Register. It was, therefore, proposed that new and existing applicants be encouraged to register, in conjunction with their housing application (and any changes to this) and that the Council's allocations policy be amended accordingly as set out in Appendix 2 to the report.

#### **87. Right to Buy Discount Repayments**

Consideration was given to the Report of the Head of Housing and Waste Management (Item 11.1 – 11.5 of the Official Minutes of the Council).

RESOLVED:

That the Council does not exercise the discretionary powers to reduce or waive Right to Buy discount repayments in exceptional circumstances.

#### Reasons for the Decisions

There were arguments for and against the Council using these discretionary powers. However, their use would result in RTB purchasers being treated more favourably than other households who had purchased a dwelling on the open market and for this reason it was considered that the Council should not use the discretionary powers.

#### **88. Resident Parking Problems – Woodside Place and Adjacent Cul-de-Sacs**

Consideration was given to the Report of the Head of Housing and Waste Management (Item 12.1 – 12.6 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) Dropped kerbs be provided to the dwellings in Woodside Place, Glen Close and Wardle Place, West Chadsmoor, which do not currently have the facility, subject to households providing the required hardstanding in their garden at their own expense.
- (B) The estimated cost of £14,000 be met through virement from agreed Housing revenue Account capital resources.

#### Reasons for the Decisions

Complaints had been received from residents of Woodside Place, Glen Close and Wardle Place regarding parking problems, following the commencement of the development of four former garage sites, which were sold by the Council to the Heantun Housing Association.

Prior to the development the (then) predominantly vacant sites were used as informal car parking areas by residents as parking in the three cul-de-sacs was limited by the narrow width of the roads and restricted turning heads.

In order to alleviate the parking problems, Cabinet were asked to consider assisting households with the provision of a parking space in their front gardens with the Council meeting the cost of the County Council providing a dropped kerb, subject to households providing the actual hardstanding at their own cost, in accordance with planning regulations.

#### **89. Replacement of Grounds Maintenance and Street Cleansing Service Vehicles**

Consideration was given to the Joint Report of the Head of Commissioning and the Head of Housing and Waste Management (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 £272,500 for the replacement of 17 grounds maintenance and street cleansing vehicles 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 and street cleansing vehicles be agreed.

#### Reasons for the Decisions

It was necessary to procure replacement vehicles and machinery to deliver the Council's grounds maintenance and street cleansing services as the existing vehicles identified were reaching the end of their life and subject to breakdowns.

The purchase of the replacement vehicles would ensure ongoing operational efficiency and reduced maintenance time as well as helping lower the environmental impact of the fleet on the environment.

Various options had been considered when looking at replacing the vehicles including purchase and leasing. As a result it had been determined that outright purchase was the preferred option and it was, therefore, proposed to purchase 17 vehicles through a Framework Agreement and maintain them in-house.

The estimated cost of £272,500 for purchasing the 17 vehicles would need to be funded through the 2013-14 General Fund Programme and it was, therefore, recommended that Council be requested to establish the required capital programme budget, to 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 vehicles was also sought.

#### **90. Proposals for Publication of and Publicity for a Preliminary Draft Community Infrastructure Levy Charging Schedule**

Consideration was given to the Report of the Head of Planning and Regeneration (Item 14.1 – 14.12 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The proposed charging rates set out at paragraph 3.9 of the report be published as a preliminary draft Community Infrastructure Levy (CIL) charging schedule for consultation purposes together with the preliminary list of the type of projects which could potentially be funded from CIL receipts in the future.
- (B) The Head of Planning & Regeneration in consultation with the Portfolio Leader for Economic Development & Planning be authorised to approve details of the consultation generally in accordance with paragraphs 5.16 to 5.20 of the report.
- (C) A further report setting out the responses to the consultation, recommendations for a draft charging schedule be brought to Cabinet in due course.

#### Reasons for the Decisions

The Community Infrastructure Levy (CIL) was introduced by Government in 2010 as a means for Local Planning Authorities (LPAs) to fund infrastructure required to support development proposed in a Local Plan. It was seen as a fairer way of obtaining funding than the previous system which involved greater reliance on individual planning obligations (Section 106 agreements or unilateral undertakings) predominantly from a few major developments, with many smaller schemes making no direct contribution to the funding of infrastructure. Most new development relied on infrastructure in some form or other, even if needed because of the cumulative impact of a large number of small developments. The definition of infrastructure in the Community Infrastructure Levy (England and Wales) Regulations 2010 (as amended) (these have been amended several times since and are hereafter referred to as the CIL Regulations) included roads and other transport facilities, flood defences, schools and other education facilities, medical facilities, sport and recreation facilities and open spaces, but the list was not meant to be exhaustive. CIL was effectively a tax capable of being levied on most types of new built development charged in £s per square metre of the gross internal floorspace of buildings net of any demolitions. Affordable housing developments and development by Charities are exempt from the charge.

At the meeting on 17/03/2011 Cabinet agreed to the principle of adopting CIL. In order to introduce CIL within the District the following key requirements need to be met –

- There must be an up-to-date Local Plan to set the policy context for the proposed charges.
- There must be evidence from the Infrastructure Delivery Plan (IDP), which accompanies the Local Plan, that there is a need for some funding to be provided from CIL, having taken into account all other

funding sources including S106 agreements, agreements under S278 of the Highways Act, service providers own funds, grants and loans from Government or European funding.

- The Regulations specify that in setting levy rates charging authorities “must aim to strike what appears to the charging authority to be an appropriate balance between” the desirability of funding infrastructure from CIL and “the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area”.

The Local Plan Part 1, which was the subject of an examination between 24 and 27 September, 2013 would provide the appropriate policy context when adopted. It was anticipated that this would be in March 2014. The CIL draft charging schedule would be the subject of a separate examination, anticipated to be in the first quarter of 2014/15.

The latest version of the IDP (May 2013) identified which projects may require funding from CIL. In summary the key types of project where the potential need for some funding from CIL has been noted in the IDP were –

- Local highway and other transport infrastructure improvements.
- Flood prevention.
- Public realm improvements in town centres.
- Open space, sport and recreation facilities.
- Mitigation of impact of new housing development on Cannock Chase Special Area of Conservation.
- Investment in conservation of heritage assets.
- School buildings.
- Community and cultural facilities.

CIL monies may be used by the local planning authority to fund any infrastructure as defined within the 2010 CIL regulations. They should be seen as a contribution to assisting with the provision of overall infrastructure priorities, which may well change over time. They are not an income stream that can be used to reduce the overall cost of the Council.

Evidence on viability had been commissioned in the form of two reports from consultants Adams Integra, one relating to residential development and one to all other forms of commercial development. Both of these were used as evidence in support of the Local Plan, in particular in the former case, the policy of seeking 20% affordable housing on commercial housebuilders’ sites. No significant issues were raised by any parties making representations to the Local Plan examination about the content and recommendations in these reports. The methodology used to identify recommended charging rates was set out in the report.

The latest guidance from the Department for Communities and Local Government (April 2013) elaborated on the factors to consider in striking a balance between the need for CIL funds and the impact on viability. In

summary the advice is that LPAs should use appropriate available evidence on viability but “should avoid setting rates right up to the margin of viability across the vast majority of sites in their area”. The Adams Integra recommendations follow this advice.

#### **91. Land at Hardie Avenue, Rugeley**

Consideration was given to the Report of the Head of Planning and Regeneration (Item 15.1 – 15.6 of the Official Minutes of the Council).

RESOLVED:

That, having given due consideration to the Ward Members objections referred to in paragraph 3.4 of the report, and subject to the intention to dispose of public open space being advertised in accordance with Section 123 (2A) Local Govt Act 1972, the Head of Planning and Regeneration be authorised to agree terms with the applicant for an exchange of land to facilitate the development of a pair of 3 bed semi detached houses on land adjacent to 25 Hardie Avenue and improvements to nearby open space.

#### Reasons for the Decisions

Following the Council’s normal consultation process for property matters, the Council agreed terms for a sale of the land shown hatched on plan no. 4181 (Appendix 1 to the report), to the applicant in March, 2013. The applicant subsequently applied to purchase an additional area of land shown cross hatched on the same plan and the property consultation process was undertaken again in respect of the additional land.

The additional land required by the applicant is within the Green Space Network (GSN). The applicant obtained planning permission to develop the land in September 2013 (CH/13/0234). The planning permission granted was subject to him entering into a S106 agreement with the Council. Under the terms of the S106 agreement the applicant is required to remediate a nearby derelict garage site that he owns, shown stippled on the plan, and provide the land for use as GSN in lieu of the GSN lost as a consequence of the proposed development. By approving the proposed land exchange, the Council would also receive a market value capital receipt for the freehold interest in its cross hatched land.

Demolition of the garages and landscaping of the garage site by the applicant, would not only remove an existing eyesore from the street scene, it would also ensure that the garage site would become an extension of adjacent open space. This would create an extensive green landscaped area which would provide significant amenity space for the locale with only a minor loss in the total area of open space.

Objections to the proposed land exchange were received from both Ward Members. It was apparent that previous developments by the applicant have resulted in complaints from local residents that the builders employed caused a

great nuisance in the area. The Ward Members objections reflected the views of residents who had been adversely affected by previous developments as follows:

- The applicant breached existing planning conditions by the addition of an overlooking window at first floor level.
  - > This was later rectified to the satisfaction of Planning Services.
- A resident's car was sprayed with cement during construction works.
  - > The applicant's agent has advised that he understood that the action was accidental and that the matter has been resolved to the satisfaction of the resident concerned.
- The applicant's employees had disturbed neighbouring residents by playing loud music from a stereo on site.

The applicant was aware of the complaints regarding his previous developments as this matter was reported to the Planning Committee on 11 September, 2013. Having given consideration to the issues raised, the Planning Committee decided to grant planning consent (subject to a S106 agreement).

In order to address Ward Members concerns, as an alternative to a straightforward disposal of the freehold interest in the cross hatched land, the Council had the option to grant a development licence to the applicant, which would enable him to build on the cross hatched land while it still belonged to the Council. The benefit to the Council of the applicant building under licence was that the Council could impose conditions within the licence agreement, such as a restriction on site working hours. If the applicant failed to adhere to the licence conditions then the Council had the ability to terminate his licence to build. Only once the development was completed to the satisfaction of the Council would the freehold interest in the land be transferred to the applicant.

The potential inconvenience to the residents of Hardie Avenue, together with the actual complaints received already from residents in respect of previous developments and the view of Ward Members had been weighed against the benefit of additional housing in the District and improvements to open space in the area.

**92. Hednesford Town Centre Regeneration: Proposed Parking Order: Rugeley Road Car Park**

Consideration was given to the Report of the Corporate Director (Item 16.1 – 16.5 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The introduction of a Parking Order to limit the use of the Council's section of the Rugeley Road car park in Hednesford as a short stay car

park for the benefit of visitors to Hednesford Town Centre be approved.

- (B) Enforcement of the Parking Order on the Council's part of the car park through the deployment of the Council's contractor, APCOA, be approved.
- (C) The Parking Order shall come into effect on 9 December 2013, or as soon as practical thereafter, and that the Corporate Director be authorised to take the actions necessary to support the implementation of the Order and the associated legal processes.
- (D) In addition to the above, the Council and Aldi continue to work together to ensure that the proposed management arrangements are subject to regular evaluation and can be reviewed and amended in the future if required.

#### Reasons for the Decisions

Phase 1 of the Hednesford Town Centre Regeneration Programme was completed on 1 August 2013 with the opening of the new Aldi store located at the southern end of the Rugeley Road Car Park. Prior to the opening discussion had taken place with representatives of Aldi concerning their proposals to manage the use of their section of the Rugeley Road Car Park (approx. 120 spaces).

At that time Aldi had indicated its intention to appoint a company called Parking Eye to manage its part of the car park using automated number plate recognition cameras, with a time limit of 90 minutes. Vehicle owners who exceeded this time limit would then be liable to a penalty charge which would be issued by Parking Eye.

However, Aldi agreed to defer the deployment of Parking Eye shortly before the store opened to allow the use of the car park to be fully assessed and for further discussions to be held with stakeholders. As a consequence of the discussions with Aldi it has been concluded that management arrangements will need to be introduced to ensure the whole of the Rugeley Road Car Park will operate in the future as a short stay car park.

Accordingly, in the absence of car parking charges, the most appropriate means of restricting the use of the Rugeley Road Car Park is via the imposition of a Parking Order on the Council's section which would ensure that it is operated as a short stay car park and enforcement through the Council's parking control contractor, APCOA. Aldi already have the means to limit the use of its part of the car park via separate legislation which Parking Eye will utilise.

#### **93. Financial Plan 2014-15 to 2016-17**

Consideration was given to the Report of the Head of Finance (Item 17.1 – 17.13 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The Financial Plan 2014/15 - 2016/17 be noted.
- (B) The Capital Programme 2013/14 - 2016/17 be noted.
- (C) The General Fund working balance be determined as part of the Risk Analysis undertaken in finalising the preparation of the 2014/15 budget.
- (D) The principles set out in the Council's Financial Plan be adopted in finalising the preparation of the 2014/15 budget.
- (E) The level of Council Tax for 2014-15 to be determined following the outcome of the Government consultations; the level of Council Tax Compensation available; and preparation of the detailed budgets for 2014-15 to 2016-17.

#### Reasons for the Decisions

The report set out the Council's forecast financial position for the next three years incorporating anticipated spending pressures and savings already identified. Financial resources available to the Council over the three year period were also set out, along with the efficiency savings that are required to be found. There is currently great uncertainty over how the Government will fund Councils into the future and although a balanced budget exists for 2014-15 details of the outcome of consultations on the 2015-16 Financial Settlement and the proposed pooling of New Homes Bonus in 2015-16 were still awaited.

#### **94. Quarter 2 Performance Report 2013-14**

Consideration was given to the Report of the Head of Policy (Item 18.1 – 18.69 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 second Quarter at Appendix 9 to the report be noted.

### Reasons for the Decisions

Information for performance actions, indicators and case studies 2013/14 was included for relevant items in Appendices 1 to 8. The overall rankings for each Portfolio area were also detailed, indicating that 88% of targets have been achieved during the second quarter of 2013/14. The recommendations reflect that this performance and any subsequent rescheduling were noted.

### **95. District Needs Analysis and Ward Profiles**

Consideration was given to the Report of the Head of Policy (Item 19.1 – 19.134 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The report and Appendices that form the evidence base be noted.
- (B) The internal and external publication of the District Needs Analysis and Ward Profiles be approved.

### Reasons for the Decisions

The report and appendices cover the range of statistical and perceptions data available to the Council in order to assist with and inform the priority setting and decision making processes. The information provided in the Appendices was intended to highlight and illustrate the key areas of significance in the District; however it should be noted that due to the frequently changing nature of statistical information, the documents were not intended to serve as a definitive position statement for the District.

(The meeting closed at 5.05 pm)

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LEADER