

CANNOCK CHASE COUNCIL

MINUTES OF THE MEETING OF THE

CABINET

HELD ON WEDNESDAY, 20 FEBRUARY, 2013 AT 5.45 P.M.

IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT: Councillors:

Adamson, G.	Leader of the Council
Dixon, D.I	Corporate Improvement Portfolio Leader
Holder, M.J.	Crime and Partnerships Portfolio Leader
Alcott, G.	Economic Development and Planning 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

148. Apologies

Apologies were submitted on behalf of Cllr. Mrs. C. Mitchell, Culture and Sport Portfolio Leader. Apologies were also submitted on behalf of T. McGovern, Corporate Director and A. Welch, Council Solicitor and Monitoring Officer.

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

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

150. Updates from Portfolio Leaders

Town Centre Regeneration

Painting of Street Furniture, Planting of Flowerbeds, Verges etc – The Portfolio Leader advised that a number of works to improve the appearance of town centres were getting under way.

“New Aquarius” – Members enquired if there were any plans for Councillors to be given an opportunity to visit the facility prior to its opening to the public. The Head of Planning and Regeneration advised that the facility had not yet been handed over from the developer, as there were a number of legal issues still to be resolved. However, he felt sure that an invitation would be extended to Members once the operator had control of the premises.

Housing

Additional Affordable Housing – Eskrett Street, Hednesford – The Portfolio Leader advised that the Wrekin Housing Trust had announced that they would be developing 10 houses for affordable rent on the site of the former medical centre at Eskrett Street, Hednesford. The 10 houses would comprise 6 three bedroom (5 person) and 4 three bedroom (6 person) houses.

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 £118 per week for the 5 person houses and £120 per week for the 6 person houses. The houses would be provided in accordance with the Homes and Communities Agency's Design and Quality Standards and Level 3 of the Code for Sustainable Homes.

Development was programmed to commence in April 2013 and expected to be completed early in 2014. The Council would be able to nominate applicants for all 10 houses.

Health and Wellbeing

"Conversation Staffordshire" sessions arranged by Cannock CCG – The Portfolio Leader advised that the Commissioners, in conjunction with Stafford and Surrounds CCG and Staffordshire LINK, were jointly arranging the above open sessions, intended to start a conversation with the public about local health services. There was to be a launch event in the Civic Ballroom on Tuesday, 5 March, 2013, with sessions at 12.00 - 2.00pm; 2.30 - 4.30pm; and 5.30 - 7.30pm.

Each session would include presentations from the CCG and Healthwatch (the successor to the LINK) to improve understanding of their roles and responsibilities, followed by small group discussions looking at what healthcare services are important to people and how people wish to be engaged in the future. People could also drop in and give feedback at any point during the sessions.

The three broad areas for discussion / feedback would be:

- What do you understand about CCGs and their responsibilities?
- What services are important to people?
- How do you want the CCG to engage with you?

151. Minutes of Cabinet Meeting of 31 January, 2013

RESOLVED:

That, with the exception of the matters that were subject to call-in, the Minutes of the meeting held on 31 January, 2013 be approved as a correct record and signed.

152. Forward Plan

The Forward Plan of Decisions for the period February - April, 2013 (Item 5.1 – 5.2 of the Official Minutes of the Council), was considered.

RESOLVED:

That the Forward Plan of Decisions for the period February - April, 2013, be noted.

153. Minutes of Policy Development Committees

RESOLVED:

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

- (i) Health and Wellbeing – 18 December, 2012
- (ii) Culture and Sport – 15 January, 2013

154. Recommendation(s) from the Housing Policy Development Committee of 6 February, 2013, in respect of:

Consideration was given to the recommendation received from the Housing Policy Development Committee held on 6 February, 2013, in respect of:

Norton Canes Photovoltaic Panel Pilot Scheme – Initial Evaluation

“That following further evaluation of the pilot scheme, Cabinet be recommended to evaluate the potential provision of photovoltaic panels to further dwellings within the Council’s housing stock as part of the housing actions in the 2013-14 “Place” Priority Delivery Plan.”

RESOLVED:

That following further evaluation of the pilot scheme, the potential provision of photovoltaic panels to further dwellings within the Council’s housing stock should form part of the housing actions in the 2013-14 “Place” Priority Delivery Plan.

155. Section 106 Capital Programme 2013-14 to 2014-15

Consideration was given to the Report of the Corporate Director (Item 7.1 – 7.4 of the Official Minutes of the Council).

RESOLVED:

That permission to spend on the capital schemes detailed in Appendix 1 to the report be approved; and approval be granted retrospectively for expenditure incurred in respect of North End Park Improvements..

Reason(s) for the Decision

The following schemes were included in the Section 106 Capital Programme 2012-2015, but could not be brought into the budget until they had been approved by Cabinet. (Further details were contained in the report.):

- North End Park (formerly Jefferies Close Play Area).
- Refurbishment of Heath Hayes Play Area / Pitch.
- Wolseley Road Public Open Space Improvements.

156. Review of Allocations Policy

Consideration was given to the Report of the Head of Housing (Item 8.1 – 8.32 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The revised Allocations Policy attached as Appendix 2 to the report be approved for implementation from 25 March 2013.
- (B) The current Transfer Incentive Scheme be suspended pending a review.
- (C) The revised Allocations Policy be subject to a further review after a 12 month operational period.

Reason(s) for the Decision

The draft Allocations Policy for the Council's housing stock and nominations to housing associations had been subject to a 12 week period of consultation with housing associations, service customers and other statutory agencies and voluntary organisations.

As a result of the consultation exercise, a number of amendments to the draft Allocations Policy were proposed in relation to the overcrowding standard, under-occupation and Local Lettings Policies. Details of the proposed amendments were set out in the report, and included within the revised Allocations Policy, attached as Appendix 2 to the report, together with other minor changes where it was considered that additional explanation or

clarification was required.

The current Tender Incentive Scheme was not compatible with the proposed policy in relation to under-occupation; and it was, therefore, proposed that the scheme was suspended pending a review. It was also proposed that the revised Allocations Policy be subject to a further review after a 12 month operational period.

157. Affordable Housing Delivery and Community Infrastructure Levy

Consideration was given to the Joint Report of the Head of Housing and the Head of Planning and Regeneration (Item 9.1 – 9.12 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The findings of the Economic Viability Assessment for the Future Development of Affordable Housing and the recommendations of the Housing Policy Development Committee in respect of this be noted.
- (B) The Council's proposed affordable housing policies, as set out below, be agreed:
 - (i) To seek 20% affordable housing on sites of 15 or more dwellings with a tenure split of 80% social rent and 20% intermediate tenure that meet the Homes and Community Agency Design and Quality Standards and Level 3 of the Code for Sustainable Homes, subject to the viability of individual sites; in exceptional circumstances to accept a financial contribution to the provision of affordable housing on other sites.
 - (ii) To seek a financial contribution on sites under 15 units as an alternative to on-site affordable housing provision in accordance with the formula set out in paragraph 5.14 of the report, subject to the viability of individual sites.
- (C) the proposed affordable housing policies form part of the consultation process for the Cannock Chase Local Plan (Part 1) and a revised Supplementary Planning Document for Affordable Housing
- (D) The contents of the Community Infrastructure Levy (CIL) Viability Study are noted and that further work is undertaken to identify robust CIL charging rates to enable consultation to take place on a draft charging schedule in the 3rd quarter of 2013/14.

Reason(s) for the Decision

Adams Integra were appointed in July 2012 to undertake a high level review of housing development viability across the District and produce locally derived affordable housing targets that are economically viable.

The Housing Policy Development Committee on 28 November 2012 considered the results of the Economic Viability Assessment and recommended revised affordable housing policies for consideration by Cabinet. Further consideration had, however, been given to the affordable housing requirements on sites under 15 dwellings and it was subsequently proposed that a financial contribution should be sought from all such developments, subject to the viability of individual sites.

Subject to the proposed policies being agreed, it was proposed that they form part of the consultation process for the Cannock Chase Local Plan (Part 1) and a revised Supplementary Document for Affordable Housing.

One means of funding infrastructure required to enable the policies and proposals in a Local Plan to be implemented, would be to introduce a Community Infrastructure Levy (CIL); a tax which could be charged in connection with most forms of built development. Affordable Housing and development by charities are exempt from CIL.

In order for the Council to adopt a CIL charging schedule following an independent examination, the following tests/processes would need to be carried out:

- An up to date Local Plan would need to have been adopted after a successful examination, unless the two processes were dealt with at a joint examination.
- There would need to be clear evidence of an infrastructure funding gap, having considered other sources of funding such as S106 agreements, UK Government or European grants/loans, that can be partially or fully met by CIL. The evidence for this would be found in the Infrastructure Delivery Plan (IDP) which accompanies the Local Plan.
- The CIL rate per square metre of built development must be set at a level which does not pose a threat to the overall viability of any particular category of development e.g. housing, retail, offices, industry. Different rates could be set for specific development types and/or geographical locations if the evidence on viability supported it.

Policy CP2 – Developer Contributions for Infrastructure sets out how all housing, employment and commercial development would contribute towards providing affordable housing and/or infrastructure necessary to deliver the policies and proposals in the Local Plan.

The District Valuer was jointly commissioned by this Council, Lichfield District Council and Tamworth Borough Council in July 2012 to produce a Local Plan

and CIL Viability Study. The study covered all major development types and by identifying a range of scales of development and notional development sites in Cannock, Hednesford, Heath Hayes, Norton Canes and Rugeley a picture was built up of developments identified as viable or unviable.

The key conclusions in relation to housing development are that development with at least 15% affordable units was in principle viable in Rugeley but not elsewhere in the District. Similar issues of unviability were identified in Burntwood (Lichfield District) and large parts of Tamworth. The conclusions, based on notional development sites run counter to the conclusions of the Adams Integra work and practical evidence of current and committed delivery of housing in most parts of the District. In the latter case developers were currently committing via S106 agreements to delivering a minimum of 14% affordable housing on key sites identified in the Local Plan i.e. land west of Pye Green Road Hednesford and land south of Norton Canes. Delivery of affordable units was also currently underway on commercial housebuilders' sites at Bridgtown (Bellway Homes) and Rugeley (Taylor-Wimpey).

Officers therefore wished to review the conclusions on overall CIL viability for Cannock Chase District, but were confident that there was sufficient other evidence to proceed with an updated affordable housing policy.

158. Priority Delivery Plans 2013-14

Consideration was given to the Report of the Head of Policy (Item 10.1 – 10.119 of the Official Minutes of the Council).

RESOLVED:

That Council be recommended to adopt and approve for publication the Priority Delivery Plans for the 2013/14 financial year.

Reason(s) for the Decision

The Council's current Corporate Plan covering the period 2011-14 was adopted by Council on 6 April, 2011. In order to secure robust and sustained improvement planning in priority areas, the revised 2013/14 Priority Delivery Plans were essential in focussing on the services, actions and indicators that support the priority outcomes as identified in the Corporate Plan.

159. Empty Property Loans

Consideration was given to the Report of the Head of Environmental Health (Item 11.1 – 11.17 of the Official Minutes of the Council).

RESOLVED:

That the interest free loan scheme be agreed and made available to owners of long term empty properties capable of being brought back into use as outlined

in this report, with the commencement of the scheme to be from 1 April, 2013.

Reason(s) for the Decision

In November 2012 members agreed a report outlining the concepts of a repayable grant (loan) scheme providing up to £10K worth of support to owners of long term empty properties across the District. Members requested that the detail of the scheme be reported once the scheme had been finalised. The report outlined the scheme in detail and sought Cabinet approval of the arrangements and proposed commencement date.

160. Heritage Lottery Fund (HLF) Parks for People Award – Hednesford Park / War Memorial

Consideration was given to the Report of the Head of Environmental Services (Item 12.1 – 12.5 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The successful grant award under the above programme of £2,273,700, which represents 71.34% of the total project costs be noted.
- (B) The Corporate Director be authorised to sign the agreement from the Heritage Lottery Fund (HLF) and enter into any legal and other agreements that may be necessary to implement any conditions of grant imposed by HLF.

Reason(s) for the Decision

Following the successful submission in August 2012, the Council were informed of their success in December 2012.

The offer of grant requires the Council to enter into an agreement with HLF to spend monies with claims made retrospectively. The agreement is normally to ensure Council's expend in accordance with the bid submission details and to gain and maintain the site to a Green Flag standard for five years.

161. Adoption of Collections Development Policy 2013-18, Museum of Cannock Chase

Consideration was given to the Report of the Head of Commissioning (Item 13.1 – 13.12 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) Adoption of the Collections Development Policy for the Museum of

Cannock Chase 2013 -2018, be endorsed.

- (B) The Head of Commissioning, in consultation with the Portfolio Leader for Culture and Sport, be authorised to approve, where considered appropriate, acquisitions and disposals.

Reason(s) for the Decision

The Museum of Cannock Chase required a current Collections Development Policy to meet the Arts Council England accreditation standard (formerly Museum, Libraries and Archives (MLA)). In 2011 the standard was changed and any new policy needed to reflect the current recommended practice and requirements for accreditation.

Adopting the principles set out in the policy document would provide the Council and Wigan Leisure and Culture Trust, who manage the Museum on behalf of the Council, with a framework and clear procedures for acquiring and disposing of museum artefacts. Clarifying the processes would assist in ensuring good practice and protecting the future of the collections.

162. 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).

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PART 2

163. Moss Road Estate Reema Flats Redevelopment Scheme

Consideration was given to the Not for Publication Report of the Head of Housing (Item 15.1 – 15.44 of the Official Minutes of the Council).

The Housing Portfolio Leader updated Cabinet on the visit by Officers to the Level 6 Sustainability Code Scheme in Kirklees, as detailed in paragraph 5.6 of the report. It was reported that the additional cost of providing dwellings to Level 6 rather than to Level 3 as recommended within the report, was estimated to be £40,000 per property.

RESOLVED:

That:

- (A) The Development Brief for the Moss Road Estate Reema Flats Redevelopment Scheme (attached as Appendix 2 to the report) be agreed.
- (B) The Head of Housing following consultation with the Housing Portfolio Leader be authorised to amend the Development Brief to address any issues as a result of completing the tender documentation.
- (C) The development partner for the Moss Road Estate Reema Flats Redevelopment Scheme be procured through the Homes and Communities Agency Partner Delivery Panel.
- (D) In exercise of powers under Section 122 of the Local Government Act 1972 and Section 226 of the Town and Country Planning Act 1990, the open space land marked A, F, G and H at the Moss Road Estate shown on the plan (attached as Appendix 2, Annex 2 to the report) be appropriated for planning purposes.
- (E) Cabinet should receive a further report on the proposed scheme following the selection of a development partner.

Reason(s) for the Decision

The draft development brief for the Moss Road Estate Reema Flats Redevelopment Scheme has been subject to a soft market testing exercise. As a result, a number of amendments to the draft brief were proposed, including the inclusion of additional development land, an increase in the amount of affordable housing and a change to the sustainability code level for the new Council houses. Details of the amendments were set out in the report.

The amendments were included within the revised development brief attached as Appendix 2 to the report, which was recommended for approval. The development brief would be accompanied by a tender document providing details of the procurement process, which was currently being formulated and would be finalised following approval of the development brief. It may, however, be necessary to amend the brief to address issues arising from the completion of the tender document and it was, therefore, proposed that the Head of Housing, following consultation with the Housing Portfolio Leader, be authorised to make such amendments.

It was proposed that the Council's Development Partner for the redevelopment scheme be procured through the Delivery Partner Panel Framework Agreement established by the Homes and Communities Agency. The Panel was established following a full OJEU compliant procurement process and its use would result in significant savings in "procurement time". A "mini tendering" exercise would, however, be undertaken which would include selected prospective development partners submitting design and cost proposals in accordance with the development brief.

A further report on the proposed scheme would be submitted to Cabinet following the selection of a development partner.

It was also suggested that the open space land be appropriated for planning purposes. This action would override any existing easements or other rights which may arise in connection with the site and could otherwise be used to prevent development taking place.

164. Management Debt Recovery

Consideration was given to the Not for Publication Report of the Head of Finance (Item 16.1 – 16.23 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The amounts detailed in the appendices to the report be written off.
- (B) The actions of the Head of Finance in writing off the irrecoverable debts, below £1,000 be noted.

Reason(s) for the Decision

Non-Domestic Rates - Appendix 1 to the report listed Non-Domestic arrears over £1,000 which could not be collected for the reasons stated. Included in the Appendix were 67 cases with arrears totalling £260,737.20. Additionally 97 irrecoverable Non-Domestic rate cases with a value of £33,955.08 had been written off by the Head of Finance.

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 was 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, so it often, therefore, appears that the company had continued to trade, though this was not the case. In such circumstances, the new occupier was an entirely separate legal entity to the previous occupant and could not be held liable for rates due from the insolvent company. Such debts were only submitted for write-off when it was certain that they could not be recovered.

Housing Benefit Overpayments - Appendix 2 listed Housing Benefit Overpayments arrears over £1,000 which could not be collected for reasons stated. Included in the Appendix were 2 cases with arrears totalling £8871.51. Additionally 6 irrecoverable Benefit Overpayments with a value of £868.12 had been written off by the Head of Finance.

Sundry Debts - Appendix 3 listed Sundry Debts over £1,000 which could not be collected for the reasons stated. Included in the Appendix was 1 case with arrears totalling £2,944.89. Additionally 30 irrecoverable Sundry Debts, with a value of £7,625.49 had been written off by the Head of Finance.

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

The meeting closed at 6.15 p.m.

LEADER