

**CANNOCK CHASE COUNCIL**  
**MINUTES OF THE MEETING OF THE**  
**CABINET**  
**THURSDAY, 22 JULY, 2010 AT 4.30 P.M.**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**  
**PART 1**

PRESENT: Councillors

Stanley, N.K.	Leader of the Council
Davies, D.N.	Economic Development and Planning Portfolio Leader
Freeman, M.P.	Housing Portfolio Leader
Grocott, M.R.	Culture and Sport Portfolio Leader
Williams, A.	Deputy Leader of the Council and Environment Portfolio Leader
Williams, Mrs. P.	Town Centre Regeneration Leader
Yates, Ms. W.	Health and Wellbeing Portfolio Leader

In attendance:

Kraujalis, J. T., Chairman of Scrutiny Committee

**16. Apologies**

An apology for absence was submitted on behalf of Councillor C. Collis, Corporate Improvement Portfolio Leader.

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

<u>Member</u>	<u>Nature of Interest</u>	<u>Type</u>
Williams, Mrs. P.	Member is eligible for free swimming scheme	Personal
Yates, Ms. W.	Member is eligible for free swimming scheme	Personal

**18. Minutes**

That the Minutes of the meeting held on 24 June 2010 be approved as a correct record and signed.

**19. Updates from Portfolio Leaders**

Healthier Communities & Older People Portfolio

The Portfolio Leader reported that the Government had published the Healthcare White Paper, Liberating the NHS, which sets out local authorities new powers and responsibilities. She had attended the Primary Care Trust Local Government Conference where the White Paper was discussed

as part of a full agenda. Together with the Head of Environmental Health the Portfolio Leader had attended a meeting at the County Council to discuss the drafting of a joint Public Health Strategy for Staffordshire. Officers had also met to discuss the Strategy and the Portfolio Leader was attending a meeting on 26 July, 2010 to further progress this matter.

As the Council's representative on the Children's Trust Board the Portfolio Leader had attended a meeting which focused on the issue of the sexual health of teenagers and the number of pregnancies among teenagers still in full time education and not in stable relationships.

A Fundamental Service Review Steering Group had formerly been set up to discuss 'Activities for Teenagers' and as part of their recommendation they had asked that ways of publishing what activities were available for them should be investigated. A website had now been established which gave details of all activities that were available for teenagers across Cannock Chase and the Communications Officer would be requested to publicise this.

To increase teenagers access to confidential advice on sexual health a community bus had taken the 'clinic in a box' to various venues in Cannock, Rugeley and Brereton with Hednesford now also being included.

The funding for the District's Children's Trust Manager was drawing to an end and the Chairman of the Trust was also stepping down and this would have a significant impact on the Children's Trust Board.

#### Culture and Sport Portfolio

The Portfolio Leader reported that he had circulated a letter from Sport England dated 9 July 2010 informing the Council that following the formation of the new coalition Government all new and existing Exchequer funded programmes had been reviewed. The Department for Culture, Media and Sport and the Department for Education had asked Sport England to inform all applicants that the Exchequer budget for the Free Swimming Capital Modernisation programme had been withdrawn in 2010/11 with effect from 1 August, 2010.

#### Economic Development and Planning Portfolio Leader

The Portfolio Leader reported that the Council was runner up in the West Midlands Job Centre Plus Awards (Youth Employment Award Large Employer Category) for their work on the Future Jobs Fund (led by Debbie Harris -Principal Economic Development Officer). The Chase Voluntary Service also won the Diversity Award category and one of their young trainees was runner up for the New Recruit of the Year too.

It was explained that the Council's 'Talking Tourism' Summer Edition had now been published.

#### Environmental Sustainability Portfolio

The Portfolio Leader reported that the dry recyclable waste bins (Blue Bins) were being rolled out across the District and would be completed by mid August.

## **20. Forward Plan**

Consideration was given to the Forward Plan of Decisions for the period July – September, 2010 (Enclosure 5.1 of the Official Minutes of the Council).

RESOLVED:

That the Forward Plan of Decisions for the period July – September, 2010, be noted.

**21. Part 1 Minutes of Policy Development Committees**

RESOLVED:

That the Part 1 Minutes of the Environment Policy Development Committee dated 22 June, 2010 be received for information.

**22. Recommendations Referred from the Scrutiny Committee on 12 July, 2010**

The Chairman of Scrutiny Committee presented the following recommendations referred from their meeting held on 12 July, 2010:-

- (i) That Cabinet, as a matter of urgency, considers reinstating the free swimming scheme for those aged 16 and under and for those aged over 60, until at least the end of the school holidays. The cost to be met from the £40,000 extra savings identified at Council on 30 June, 2010.
- (ii) That Cabinet be requested to increase the number of properties eligible to have their lawns cut by 600 properties with immediate effect, the cost to be met from the £50,000 savings already identified in the grass cutting budget.

The Council's Solicitor reported that the savings identified at Council on 30 June, 2010 could not be approved, or otherwise, until consideration of the Independent Remuneration Panel's recommendations had been considered by Council at their meeting on 25 August, 2010. Should the free swimming scheme continue during the school holidays as requested by Scrutiny, the cost would need to be identified from some other source to ensure that the Council continued to achieve a balanced budget.

The Leader explained that the Council had recently been notified by the Government that neither the Place Survey, nor a replacement survey, had to be undertaken, which would release funds of approximately £11,880 and this could be used to continue the free swimming programme until the end of the school holidays.

With respect to increasing the number of properties being eligible to have their lawns cut, it was agreed that this should be a matter for the Members of the Housing Policy Development Committee to consider in order that they could assess the best use which they, and residents, would want the £50,000 to be used.

RESOLVED:

That:-

- (A) The free swimming programme continue until the end of the school holidays for those aged 16 and under and for those aged over 60. The cost to be met from funding released from the Place Survey which was no longer required to be carried out.
- (B) Members of the Housing Policy Development Committee assess the priorities for the savings

identified from the Housing Revenue Account and report their findings back to Cabinet.

#### Reasons for the Decisions

The proposed savings identified by the Scrutiny Committee could not be approved, or otherwise, until Council met on 25 August, 2010. However, having identified that alternative funding was now available due to the fact that the Place Survey was no longer required to be undertaken, it was considered that this could be used to cover the cost of continuing the free swimming programme until the end of the school holidays.

It was considered that Members of the Housing Policy Development Committee were best placed to determine the priorities on which the savings identified from the Housing Revenue Account would be used.

### **23. Housing Revenue Account Provisional Outturn, 2009-10**

Consideration was given to the Joint Report of the Director of Service Improvement and the Head of Financial Management (Enclosure 8.1 – 8.10 of the Official Minutes of the Council).

RESOLVED:

That the provisional outturn for the Housing Revenue Account for 2009-10 be noted

#### Reasons for the Decision

The report presented the provisional outturn position in respect of the 2009-10 HRA as part of the performance review element of the Council's agreed financial cycle.

### **24. Housing Revenue Account Capital Programmes 2009-10 and 2010-11**

Consideration was given to the Joint Report of the Director of Service Improvement and the Head of Financial Management (Enclosure 9.1 – 9.20 of the Official Minutes of the Council).

RESOLVED:

That:-

(A) The position with regard to actual expenditure in respect of the 2009-10 HRA Capital Programme be noted and approval be given to incur £56,841 of additional scheme costs met through the virement of existing resources in respect of the following schemes:-

(a)	Demolition of garages	-	£12,096
(b)	Double Glazing (Red Lion Avenue)	-	£84
(c)	Electrical Upgrading	-	£33,461
(d)	Asbestos Testing and Removal	-	£11,200

(B) The reprogramming/slippage of £227,695 of expenditure from the 2009-10 HRA Capital Programme to the 2010-11 HRA Capital Programme, as agreed by the Director of Service Improvement, for the reasons detailed in Annex 3 be noted.

- (C) The availability and use of resources in financing the 2009-10 HRA Capital Programme be noted and £441,060 of resources be carried forward to 2010-11.
- (D) The current position with regard to estimated expenditure in respect of the 2010-11 HRA Capital Programme be noted and approval be given to establish a £150,000 budget for the Testing and Removal of Asbestos, met through the virement of existing resources.
- (E) The current position regarding the estimated availability of capital resources in 2010-11 be noted and that the £2,036,901 of uncommitted resources be held as a contingency reserve.

#### Reasons for the Decisions

In accordance with the Council's agreed Capital Expenditure Control Procedures and Financial Regulations, this report presented the outturn position in respect of the 2009-10 HRA Capital Programme and in the light of this, reviewed the 2010-11 HRA Capital Programme. The reasons for the variances were detailed in section 4 of the report and the accompanying Annexes.

### **25. Disabled Facilities Grants Authority to Spend, 2010-11**

Consideration was given to the Report of the Director of Service Improvement (Enclosure 10.1 – 10.7 of the Official Minutes of the Council).

RESOLVED:

That the use of £50,000 Council capital resources to support the additional £75,000 capital grant given by Central Government be approved, giving a total 2010/11 Capital Budget for Disabled Facilities Grants of £500,000, exclusive of slippage to be subsequently approved from 2009/10. The additional funding to be provided by virement from the unspent Private Sector Decent Homes element of the General Fund Capital Programme which would be slipped from the 2009-10 financial year.

#### Reasons for the decision

To increase the Capital Budget for Disabled Facilities works to £500,000 from the figure of £375,000 originally approved at Council on 3 March, 2010. The extra expenditure related to an increase in the grant paid by Central Government towards the cost of Disabled Facility Grant provision within the District. Central Government had provided an additional £75,000 which represented 60% funding. The Council needed to fund the other 40% which amounted to £50,000.

The £50,000 resources to be vired from the unspent Private Sector Decent Homes General Fund Capital Budget which would be slipped from the 2009-10 financial year.

### **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 Paragraphs 1,2, and 3, Part 1, Schedule 12A of the Local Government Act 1972 (as amended).



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**PART 2**

**27. Part 2 Elizabeth Road Area Redevelopment Scheme**

Consideration was given to the Not for Publication Report of the Director of Service Improvement (Enclosure 12.1 – 12.13 of the Official Minutes of the Council).

RESOLVED:

That:-

- (A) The £1,660,000 deficit in site assembly funding be met through:-
- (i) £62,500 of Section 106 monies which is available for the provision of affordable housing.
  - (ii) £375,000 provided through exchange of garage sites.
  - (iii) £1,222,500 of capital receipts from the disposal of one bedroom bungalows and which is available for the provision of affordable housing.
- (B) The Head of Housing be authorised to agree terms for a Development Agreement with the Waterloo Housing Association in accordance with the revised approach as set out in the report, including provisions to ensure that the Council's interests are protected with regard to the future development of Phases 2 and 3.
- (C) The Head of Housing explores with Waterloo Housing Association all possible actions which would reduce the level of funding from the Council.

Reason for the Decisions

The report presented a revised approach and recommended a proposed funding package to secure the implementation of the Elizabeth Road area redevelopment scheme in the current economic climate.

**28. Garage Sites, Longford Road**

Consideration was given to the Not for Publication Report of the Director of Service Improvement (Enclosure 13.1 – 13.11 of the Official Minutes of the Council).

RESOLVED:

That the four garage sites identified in 4.3 be exchanged for the portfolio of properties identified in 4.2 and on such other terms and conditions as agreed by the Director of Culture and Regeneration.

Reasons for the Decisions

The report concluded and recommended that the four garage sites identified in 4.3 be exchanged for the portfolio of properties of Elizabeth Road.

**29. Third Party Procurement – Culture and Leisure Services**

Consideration was given to the Not for Publication Report of the Director of Service Improvement (Enclosure 14.1 – 14.13 of the Official Minutes of the Council).

RESOLVED:

That:-

- (A) The option to procure a private sector partner for the management of leisure services be approved.
- (B) The policy and risk issues outlined in the report be noted.
- (C) Service level agreements and leases for up to a term of 20 years be agreed.
- (D) Permission to incur up to the £150,000 estimated costs of procurement be approved.
- (E) The possibility that other local authorities may wish to work in collaboration with the Council in the procurement and management of Culture and Leisure Services be noted.

Reasons for the Decisions

Having decided in principle to conduct a procurement process to secure a third party partner for the management of Culture and Leisure Services as part of the 2010/11 – 2012/13 Budget, it was suggested that such third party partner explored the establishment of charitable trust arrangements. The paper identified the headline issues involved in delivering this and the £380,000 savings target.

In light of the difficult financial position for local authorities over the next 4 year period, it was critical that the procurement process commenced and that officers took all steps possible to deliver the financial outcome and the transfer of the important services to an appropriate third party. In particular, there are statutory requirements to consult with trade unions as well as maintaining communication with all leisure staff during a period of considerable change.

This would also change the nature of the Council as it managed those services in the future via outsourced service arrangements rather than in house and dealt with the consequences in terms of impact of this transfer across the wider Council.

### 30. Newman Grove - Mediation

Consideration was given to the Not for Publication Report of the Director of Culture and Regeneration (Enclosure 15.1 – 15.7 of the Official Minutes of the Council).

RESOLVED:

That:-

- (A) The release of the undisputed sum of £53,445.00 from the suspense account be noted.
- (B) The freehold transfer of the current 5 allotment plots on Newman Grove to Brereton & Ravenhill Parish Council (BRPC) with a restrictive covenant that the land be used for allotment and other open air recreational uses only be approved.
- (C) The transfer of £20,000 to BRPC from the sale proceeds for the purposes of improvements to Newman Grove allotments and to footpaths / cycle ways associated with development of Brereton and Ravenhill Way (and any extensions) within BRPC boundary be approved. Any funds not spent within 24 months of the signed legal agreement to be returned to Cannock Chase Council.
- (D) A licence be granted to BRPC to access sites in its ownership as described in 4.5 of this report to establish or make footpath and cycleway improvements relevant to recommendation 2(C). The detailed schedule of works proposed by BRPC to be agreed with the CCDC Landscape Officer prior to implementation by BRPC.
- (E) The Director of Culture & Regeneration (or anyone so authorised by him) be authorised to take all actions necessary to conclude and execute the mediation agreement and legal documentation on behalf of Cannock Chase Council based on these decisions.

#### Reasons for the Decisions

The recommendations contained in the report represented the most appropriate way of resolving this dispute and releasing the residual sum of £197,500 plus interest for the purposes of investment in Council housing across the District as part of the overall programme to deliver the Decent Homes standard.

If the mediation process was not able to resolve this dispute, then another option would have been to submit it to the Chancery Division of the High Court which deals with property related disputes. There would have been costs associated with this which could have been significant and there would have been a risk that costs would also be awarded against one of the parties in any judgement.

The meeting closed at 5.50 pm.

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LEADER