

Please ask for: Matt Berry

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10 April, 2019

Dear Councillor,

CABINET

4:00 PM ON THURSDAY, 18 APRIL, 2019

COUNCIL CHAMBER, CIVIC CENTRE, CANNOCK

You are invited to attend this meeting for consideration of the matters itemised in the following Agenda.

Yours sincerely,



T. McGovern,
Managing Director

To: Councillors:

G. Adamson	Leader of the Council
G. Alcott	Deputy Leader of the Council and Economic Development and Planning Portfolio Leader
J.T. Kraujalis	Corporate Improvement Portfolio Leader
C. Bennett	Crime and Partnerships Portfolio Leader
Mrs. C. Mitchell	Culture and Sport Portfolio Leader
J.P.T.L. Preece	Environment Portfolio Leader
Mrs. C.E. Martin	Health and Wellbeing Portfolio Leader
A.R. Pearson	Housing Portfolio Leader
Mrs. D.M. Todd	Town Centre Regeneration Portfolio Leader

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AGENDA

PART 1

1. Apologies

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

To declare any personal, pecuniary or disclosable pecuniary interests in accordance with the Code of Conduct and any possible contraventions under Section 106 of the Local Government Finance Act 1992.

3. Updates from Portfolio Leaders

To receive and consider oral updates (if any), from the Leader of the Council, the Deputy Leader, and Portfolio Leaders.

4. Minutes

To approve the Minutes of the meeting held on 14 March 2019 (enclosed).

5. Forward Plan

Forward Plan of Decisions to be taken by the Cabinet: April to June 2019 (Item 5.1 – 5.2).

6. Recommendations from Scrutiny Committees

- (i) To consider the following recommendation made by the Wellbeing Scrutiny Committee at its meeting held on 4 March 2019, in respect of:

Obesity Review – Update and Next Steps (Draft Minute No. 28)

“That Cabinet, at a future meeting, receive a report for consideration on the Health in All Policies document.”

The accompanying policy document for this recommendation can be viewed via the following link:

www.local.gov.uk/sites/default/files/documents/health-all-policies-manua-ff0.pdf

- (ii) To consider the following recommendations made by the Promoting Prosperity Scrutiny Committee at its meeting held on 13 March 2019, in respect of:

Briefing Note – Working Group to Review the Street Market (Draft Minute No. 23)

“That:

- (A) The current contract with Sketts be extended for a 12-month period from 31 October 2019.
- (B) Sketts be asked to undertake a survey to establish whether there was any appetite for operating a the street market for an additional day (Tuesday).
- (C) Should the outcome of the survey be positive, Sketts be asked to trial the Tuesday street market during the summer of 2019, with the possibility of including this additional day within the contract when it is re-let in November 2020.

- (D) The new contract specification should include a requirement for the street market operator to:
- (i) Develop links and work in partnership with the McArthurGlen Designer Outlet Village to create initiatives to attract customers to the town centre; and
 - (ii) Work alongside the Cannock Town Centre Partnership in organising events to promote the town centre with the aim of increasing visitors.
- (E) The positive work of the Cannock Town Centre Partnership in organising events to promote the town centre should be acknowledged, encouraged and supported.”

The accompanying briefing note for these recommendations can be viewed via the following link:

www.cannockchasedc.gov.uk/sites/default/files/03-briefing_note_working_group_to_review_street_market_and_appendices_merged_document.pdf

- (iii) To consider the following recommendation made by the Community Scrutiny Committee at its meeting held on 19 March 2019, in respect of:

Motion Referred from 28 November 2018 Council (*in respect of energy efficiency and carbon emissions*) (Draft Minute No. 19)

“That, as part of the 2020/21 budget process, Cabinet be requested to consider the provision of any necessary resources and funding in order that all actions identified in the Motion can be achieved.”

The accompanying Motion for this recommendation can be viewed via the following link:

https://www.cannockchasedc.gov.uk/sites/default/files/04-motion_referred_from_281118_council_mtg_-_comm_scrutiny_cttee_190319.pdf

7. Energy Company Obligation – Fuel Poverty Initiatives in Cannock Chase

Report of the Managing Director (Item 7.1 – 7.9).

8. Equality and Diversity Policy and Equalities Objectives

Report of the Head of Governance and Corporate Services (Item 8.1 – 8.11).

9. Corporate Anti-Social Behaviour Policy

Report of the Head of Housing and Partnerships (Item 9.1 – 9.17).

10. Homelessness and Rough Sleeping Housing Pathway Project

Report of the Head of Housing and Partnerships (Item 10.1 – 10.5).

11. Funding Contribution for Development of Business Case for Cannock Chase Engineering Academy

Report of the Head of Economic Prosperity (Item 11.1 – 11.6).

12. Exclusion of the Public

The Leader to move:

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).

A G E N D A

PART 2

13. Cannock and Rugeley Town Centres Redevelopment

Not for Publication Report of the Head of Economic Prosperity (Item 13.1 – 13.27).

This Report is confidential due to the inclusion of information relating to the financial or business affairs of any particular person (including the Council).

No representations have been received in respect of this matter.

14. Environmental Services Review

Not for Publication Report of the Head of Governance and Corporate Services (Item 14.1 – 14.9).

This Report is confidential due to the inclusion of information relating to the financial or business affairs of any particular person (including the Council).

No representations have been received in respect of this matter.

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
CABINET

HELD ON THURSDAY 14 MARCH 2019 AT 4:00 P.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT: Councillors:

Adamson, G.	Leader of the Council
Alcott, G.	Deputy Leader of the Council and Economic Development and Planning Portfolio Leader
Kraujalis, J.T.	Corporate Improvement Portfolio Leader
Preece, J.P.T.L.	Environment Portfolio Leader
Martin, Mrs. C.E.	Health and Wellbeing Portfolio Leader
Pearson, A.R.	Housing Portfolio Leader
Todd, Mrs. D.M.	Town Centre Regeneration Portfolio Leader

106. Apologies

Apologies for absence were submitted for Councillors C. Bennett, Crime and Partnerships Portfolio Leader and Mrs. C. Mitchell, Culture and Sport Portfolio Leader. It was also noted that the Leader would be arriving late due to being stuck in heavy traffic.

The Deputy Leader chaired the meeting in the Leader's absence.

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

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

108. Updates from Portfolio Leaders

None.

109. Minutes of Cabinet Meeting of 7 February, 2019

RESOLVED:

That the Minutes of the meeting held on 7 February, 2019, be approved as a correct record and signed.

110. Forward Plan

The Forward Plan of Decisions for the period March to May 2019 (Item 5.1 – 5.2 of the Official Minutes of the Council) was considered.

RESOLVED:

That the Forward Plan of Decisions for the period March to May 2019 be noted.

111. Summary of Complaints Received: April to December 2018 (Q1, Q2 and Q3)

Consideration was given to the Report of the Managing Director (Item 6.1 – 6.5 of the Official Minutes of the Council).

The Corporate Improvement Portfolio Leader requested that if possible, information be provided on the number of compliments received by the Council.

RESOLVED:

That the information about complaints received by the Council during April to December 2018 and the lessons learnt be noted.

Reason for Decision

Council approved a new Customer Feedback and Complaints Policy on 21 February 2018. Contained within the policy was a commitment to report complaints information to Cabinet.

112. Quarter 3 2018/19 Performance Report

Consideration was given to the Report of the Head of Governance and Corporate Services (Item 7.1 – 7.31 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The performance information related to the Priority Delivery Plans 2018/19, as detailed in Appendices 1 to 4 of the report, be noted.
- (B) The actions that have been flagged as requiring amendment to the timescale, scope or timeline be noted.

Reason for Decisions

Information for performance actions and indicators for Quarter 3 2018/19 was included for relevant items in Appendices 1 to 4 of the report. The overall rankings for each portfolio area were detailed in section 5 of the report, indicating that 68.3% of actions/projects had been achieved or were on target to be achieved.

113. Priority Delivery Plans 2019/20

Consideration was given to the Report of the Head of Governance and Corporate Services (Item 8.1 – 8.20 of the Official Minutes of the Council).

RESOLVED:

That Council, at its meeting to be held on 17 April 2019, be recommended to adopt and approve for publication the Priority Delivery Plans for 2019/20.

Reasons for Decision

The Corporate Plan 2018-23, approved by Cabinet in April 2018, set out the revised aims, priorities and strategic objectives of Cannock Chase District Council.

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

114. Review of Tourism Provision

Consideration was given to the Report of the Head of Economic Prosperity (Item 9.1 – 9.19 of the Official Minutes of the Council).

(The Leader of the Council arrived at the meeting during the consideration of this item.)

RESOLVED:

That:

- (A) The Council continue its current membership with the Staffordshire Destination Management Partnership for the financial year 2019/20 to allow time for a full assessment of value for money and to conduct a further review of provision at the end of the financial year.
- (B) Officers be authorised to begin working with the West Midlands Growth Company (aligned to the West Midlands Combined Authority geography) on an ad-hoc basis to benefit from their upcoming projects. This included authorising the purchase of tourism research reports when deemed necessary and with any costs being contained within existing budgets.
- (C) The Council review the current approach to the in-house tourism provision within the District and then develop a new approach to increase the provision and gain maximum benefit to the District ahead of the opening of the McArthurGlen Designer Outlet in Cannock.

Reasons for Decisions

Currently, the Staffordshire Destination Management Partnership (DMP) membership was arguably not being fully utilised because of limited officer resource within the Economic Development Team to work proactively with the DMP. Officers had concerns regarding DMP membership and its ability to offer value for money at a time when resources were limited.

Additional time was needed for officers over a limited period (i.e. 2019/20) to engage with the DMP to properly evaluate the service and benefits of membership.

The Economic Development and Planning Portfolio Leader was an active member of the DMP Board, but had expressed some concerns on the value of the DMP at a District level.

With the opening of the McArthurGlen Designer Outlet in Cannock during 2020, the Council needed to be in a position to take advantage of all new opportunities this investment would bring. In particular, the development would introduce

linked trips between the outlet and other attractions in the District (including Cannock town centre). Maximising visitor spend would be crucial to the vibrancy of the town centre and beyond.

There had been no value for money assessment for a number of years carried out on the tourism provision from the DMP. Therefore, allowing time during 2019/20 for officers to consider the benefit and value the DMP brought to Cannock Chase would ensure the District would be in a strong position for tourism provision in the months before the Designer Outlet was due to open.

(Following the conclusion of this item, the Leader took the Chair for the remainder of the meeting.)

115. Approval to Spend S106 Monies: Improvements to Towpath Surface and Access on Trent & Mersey Canal and Ravenhill Park in Brereton

Consideration was given to the Report of the Head of Economic Prosperity (Item 10.1 – 10.6 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) S106 monies be allocated into the Council's budget to facilitate the implementation of improvements to the towpath surface and access to the Trent and Mersey Canal in Brereton.
- (B) Expenditure of S106 monies held by the Council via implementation by the Canal and River Trust to carry out towpath and access improvements as generally described in the report be authorised.
- (C) Authority to enter into any legal agreements between Cannock Chase District Council and the Canal and River Trust required to facilitate the funding and delivery of the proposed work be delegated to the Head of Economic Prosperity in consultation with the relevant Portfolio Leaders.
- (D) Cabinet agree to allocate and authorise to spend the balance of the sum £8,366 in Ravenhill Park.

Reasons for Decisions

The Council currently held S106 monies within its accounts that once received, needed to be spent on the required purposes. The Trent & Mersey Canal was under the control of the Canal and River Trust (CRT), a charity that existed to maintain and develop the inland watery network to fulfil its economic, social and environmental potential. Expenditure of funds acquired to benefit new residents on the development sites (as well as existing residents in the surrounding area) by improving pedestrian linkages along the canal would in any case require liaison with the CRT, and by contributing to their own scheme, would maximise potential benefits.

The adopted Rugeley Town Centre Area Action Plan 2014 sought to raise the profile of the Trent & Mersey Canal corridor. In addition, the Trent & Mersey Canal was a Conservation Area throughout Staffordshire. At the Cabinet meeting of 7 February 2019, a new Conservation Area Appraisal and Management Plan Supplementary Planning Document was presented to seek adoption as Council planning policy. One of the recommendations of those documents was to work with the CRT to pursue public realm improvements

along the canal, including towpath enhancements. Opportunities for improved cycle and pedestrian linkages between the canal and its surroundings, particularly Rugeley town centre and enhanced access to the towpath at key locations were also noted to be pursued.

In addition, the documents highlighted that new development on the former Power Station site circa 300m north of the canal, would benefit from a network of pedestrian and cycle links, including to the canal, connecting development with the surrounding area and providing future residents and employees with an attractive route to shopping and leisure facilities in Rugeley town centre. The proposed expenditure therefore full accorded with planning policy.

116. Approval to Spend S106 Monies: Hatherton Canal

Consideration was given to the Report of the Head of Economic Prosperity (item 11.1 – 11.4 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) Cabinet agree to the transfer of the uncommitted S106 funds to the Revenue budget, to allow the £10,000 to be transferred to the Lichfield and Hatherton Canals Restoration Trust to allow them to commission a water supply study on the proposed restoration of the Hatherton Canal.
- (B) The Head of Economic Prosperity, in consultation with the Economic Development and Planning Portfolio Leader, be authorised to negotiate and enter into any agreement with the Lichfield and Hatherton Canals Restoration Trust.

Reason for Decisions

To allow the S106 contribution to be used for its intended purpose; to facilitate the restoration of the Hatherton Canal.

117. Urban Forestry Strategy 2019-24

Consideration was given to the Report of the Head of Environment and Healthy Lifestyles (Item 12.1 – 12.73 of the Official Minutes of the Council).

RESOLVED:

That the revised Urban Forestry Strategy 2019-24 be approved for adoption.

Reasons for Decision

The Council had a legal responsibility for the management of all trees on Council-owned land.

Cannock Chase Council was committed to high quality and proactive management of its tree stock. The Urban Forestry Strategy 2019-24, which replaced the previously adopted Urban Forestry Strategy 2013-2018, was fundamental to the effective working of the arboricultural services. It provided the framework that detailed the Council's approach to the management and enhancement of its tree stock.

The Council, under Local Agenda 21, was required to demonstrate that climate change was being addressed at a local level. This involved amongst other

things the adoption of a tree strategy to demonstrate how the local authority was tackling climate change through the maintenance and management of trees.

This Strategy also incorporated the principles of the Natural Capital Planning Tool that identified that ecosystems and natural capital should be managed in a holistic way.

118. Tenancy Fraud Policy

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

RESOLVED:

That:

- (A) The Council's Tenancy Fraud Policy, as attached at Appendix 1 to the report, be agreed and approved.
- (B) The Head of Housing and Partnerships, in consultation with the Housing Portfolio Leader, review the Tenancy Fraud Policy every three years or in the event of changes in legislation.

Reasons for Decisions

The Tenancy Fraud Policy was approved in order to detect and deter tenancy fraud across the District.

To encourage people to report tenancy fraud and understand the impact of tenancy fraud on the public purse and on social housing.

119. 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).

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
CABINET

HELD ON THURSDAY 14 MARCH 2019 AT 4:00 P.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 2

120. Cannock Town Centre

Consideration was given to the Not for Publication Report of the Head of Economic Prosperity (Item 15.1 – 15.12 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) In principle agreement be given that the Council should seek to progress technical work to aid the partial demolition of the Multi-Storey Car Park in Cannock town centre, in line with the recommendation included at paragraph 7.23 of the report.
- (B) A revenue allocation of £40,000 be approved to allow for specialists to be procured to prepare a detailed methodology, to include a programme of works, specification and cost plan for a partial demolition scheme at the earliest opportunity.
- (C) Authority be delegated to the Head of Economic Prosperity, in consultation with the Economic Development & Planning and Town Centre Regeneration Portfolio Leaders to commission any necessary work to take forward decision (B).
- (D) The Head of Economic Prosperity presents a detailed business case to Cabinet on completion of the work under decision (B) to set out key project risks, constraints, benefits and costs to enable a final decision to be made by the Council on progressing with the partial demolition scheme, and subject to agreement, to the proposal to recommend to Council formal adjustment to the Capital Programme to fund the works.
- (E) Authority be delegated to the Head of Economic Prosperity in consultation with the Economic Development & Planning and Town Centre Regeneration Portfolio Leaders to progress as necessary any bids for external funding with a view toward supporting the Council's cost of demolition.

Reasons for Decisions

To address the Council's potential risks associated with the on-going maintenance of the Multi-Storey Car Park (MSCP) in Cannock town centre.

To update Cabinet on the strategy and future options for the MSCP.

121. Former Tenant Arrears Debt Recommended for Write-Off

Consideration was given to the Not for Publication Report of the Head of Housing and Partnerships (Item 16.1 – 16.10 of the Official Minutes of the Council).

RESOLVED:

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

Reason for Decision

There was no reasonable prospect of the Council recovering the debts at present and meeting one of the specified criteria for write-off.

The meeting closed at 4:28 p.m.

LEADER

FORWARD PLAN OF DECISIONS TO BE TAKEN BY THE CABINET: APRIL – JUNE 2019

For Cannock Chase Council, a key decision is as an Executive decision that is likely to:

- Result in the Council incurring expenditure or making savings at or above a threshold of 0.5% of the gross turnover of the Council.
- Affect communities living or working in two or more Council Wards.

Further information about key decisions and the Forward Plan can be found in Sections 10 and 28 of the Council’s Constitution.

Representations in respect of any of matters detailed below should be sent in writing to the contact officer indicated alongside each item c/o Democratic Services, Cannock Chase Council, Civic Centre, PO Box 28, Beecroft Road, Cannock, Staffordshire, WS11 1BG or via email at membersservices@cannockchasedc.gov.uk

Copies of non-confidential items will be published on the Council’s website 5 clear working days prior to the relevant meeting date.

Item	Contact Officer / Cabinet Member	Date of Cabinet	Key Decision	Confidential Item	Reasons for Confidentiality	Representation Received
Equality and Diversity Policy and Equalities Objectives	Head of Governance & Corporate Services / Corporate Improvement Portfolio Leader	18/04/19	No	No		
Corporate Anti-Social Behaviour Policy	Head of Housing & Partnerships / Crime and Partnerships Portfolio Leader	18/04/19	Yes	No		
Homelessness and Rough Sleeping Housing Pathway Project	Head of Housing & Partnerships / Housing Portfolio Leader	18/04/19	Yes	No		
Cannock & Rugeley Town Centres Redevelopment	Head of Economic Prosperity / Town Centre Regeneration Portfolio Leader / Economic Development and Planning Portfolio Leader	18/04/19	Yes	Yes	The report contains information relating to the financial or business affairs of any particular person (including the Council).	
Representatives on Outside Bodies 2019/20	Managing Director / Leader of the Council	13/06/19	No	No		

Item	Contact Officer / Cabinet Member	Date of Cabinet	Key Decision	Confidential Item	Reasons for Confidentiality	Representation Received
End of Year Performance Report 2018/19	Head of Governance and Corporate Services / Corporate Improvement Portfolio Leader	13/06/19	No	No		
Strategic Risk Register	Head of Governance and Corporate Services / Corporate Improvement Portfolio Leader	13/06/19	No	No		
Inspiring Healthy Lifestyles Annual Performance Review 2018/19	Head of Environment and Healthy Lifestyles / Culture and Sport Portfolio Leader	13/06/19	No	No		
Review of Leisure Concessions to Serving Members of the Armed Forces 2019/20	Head of Environment and Healthy Lifestyles / Culture and Sport Portfolio Leader	13/06/19	Yes	No		
Economic Prosperity Strategy	Head of Economic Prosperity / Economic Development and Planning Portfolio Leader	13/06/19	Yes	No		

Report of:	Managing Director
Contact Officer:	Tony McGovern
Telephone No:	01543 464 553
Portfolio Leaders:	Environment / Housing
Key Decision:	Yes
Report Track:	Cabinet: 18/04/19

**CABINET
18 APRIL 2019
ENERGY COMPANY OBLIGATION –
FUEL POVERTY INITIATIVES IN CANNOCK CHASE**

1 Purpose of Report

- 1.1 To update Cabinet on the Energy Company Obligation to reduce fuel poverty and carbon emissions by improving the energy efficiency of eligible households in the District.
- 1.2 To approve the Energy Company Obligation Statement of Intent.

2 Recommendation

- 2.1 That Cabinet gives approval to the Energy Company Obligation Statement of Intent (attached as Appendix 1).

3 Key Issues and Reasons for Recommendations

Key Issues

- 3.1 The Energy Company Obligation (ECO) is a government energy efficiency scheme to help reduce carbon emissions and tackle fuel poverty. ECO creates a legal obligation on energy suppliers to improve the energy efficiency of eligible private sector households. The Government scheme has been revised (ECO3) and now covers the period 2018 – 2022.
- 3.2 Local authorities have an opportunity via the adoption of a revised 'statement of intent' to direct a significant proportion of the funds available to private sector households through the Energy Company Obligation scheme to address affordable warmth.

Reasons for Recommendations

- 3.3 Cabinet are requested to approve the Energy Company Obligation Statement of Intent so that eligible households in the District can benefit from additional

funding to improve energy efficiency and mitigate fuel poverty and carbon emissions.

4 Relationship to Corporate Priorities

4.1 This report supports the Council's Corporate Priorities as follows:

- (i) Community Wellbeing – Supporting vulnerable people experiencing fuel poverty in the District.

5 Report Detail

Background

- 5.1 The Energy Company Obligation (ECO) is a government energy efficiency scheme to help reduce carbon emissions and tackle fuel poverty. ECO creates a legal obligation on energy suppliers who have more than 250,000 customers to improve the energy efficiency of eligible private sector households. The Government scheme has been revised (ECO3) and now covers the period 2018 – 2022
- 5.2 The legislation requires these energy companies to deliver heating and insulation measures to low income and vulnerable households. It mandates the eligibility criteria for individuals, and the eligible measures. The criteria was last updated in 2018, and now includes all means tested, and disability benefits, and householders in receipt of child benefit, with limited means.
- 5.3 Local authorities have an opportunity via the adoption of a 'statement of intent' to direct a significant proportion of the funds available to private sector households through the Energy Company Obligation scheme to address affordable warmth
- 5.4 The Government has established criteria which have to be met by households seeking support through ECO and has extended the power for local authorities via the adoption of a 'statement of intent' to set criteria for 25% of the funds available to the area (known as ECO Flex).
- 5.5 For the period running from April 2018 – September 2022 energy suppliers are able to achieve up to 25% of their Affordable Warmth target in households falling outside of the nationally set eligibility criteria. The eligibility criteria to be met by households for this 25% of ECO funds are set by local authorities through a 'Statement of Intent'. Known as ECO flex the idea is that local authorities are able to direct funding based on specific local needs.
- 5.6 Staffordshire County Council, working in partnership with the CCG, and district and borough councils has secured £3.8m of funding to provide 1st time central heating systems, subject to eligibility. This amounts to approximately 517k of investment in the district. Client eligibility for this project is based around ECO eligibility and that approved by Cannock Chase District Council. This is a private investment from National Grid to support vulnerable people. Bid requirements included a delivery partner and matched funding and the lead bidder to be a local authority. E.ON have committed a further £1,834,588 Energy Company

Obligations (ECO) fund, bringing the total to £3.795 million. E.ON's funding is on condition that it is the sole delivery partner.

- 5.7 The proposed criteria have been suggested by Beat the Cold, a North Staffordshire Charity which specialises in addressing fuel poverty. This voluntary sector body will liaise with the energy companies and households as part of the implementation of these schemes.
- 5.8 To ensure access to these schemes by households in Cannock Chase, there is a requirement to have an approved Statement of Intent signed and published on the Council's website.

6 Implications

6.1 Financial

There are no financial implications for the Council.

6.2 Legal

The key requirements on flexible eligibility are set out in a statutory instrument: The Electricity and Gas (Energy Company Obligation) Order 2014 and the (Amendment) Order 2017.

6.3 Human Resources

A link contact officer needs to be provided to Beat the Cold.

6.4 Section 17 (Crime Prevention)

None

6.5 Human Rights Act

There are no human resource implications in the report.

6.6 Data Protection

All data will be managed in compliance with GDPR.

6.7 Risk Management

None.

6.8 Equality & Diversity

The criteria established through the statement of intent will assist households not currently eligible for the main ECO scheme. Beat the Cold will collect information on those taking up the scheme and this data will be used to assess its uptake and impact on groups with protected characteristics.

6.9 **Best Value**

These schemes will facilitate additional investment into the housing stock of the District.

7 Appendices to the Report

Appendix 1: Energy Company Obligation Statement of Intent.

Previous Consideration

None

Background Papers

None.

STATEMENT OF INTENT

CANNOCK CHASE DISTRICT COUNCIL FLEXIBLE ELIGIBILITY CRITERIA FOR ECO:

VERSION 1 – APRIL 2019

PUBLISHED ON WWW.CANNOCKCHASEDC.GOV.UK

This statement sets out CANNOCK CHASE DISTRICT COUNCIL's flexible eligibility criteria for ECO

1. Introduction

1.1 Fuel Poverty in CANNOCK CHASE DISTRICT COUNCIL

Fuel poverty is calculated taking into consideration both income and costs. Households are in fuel poverty if they have both:

- Higher than average required fuel costs; and
- If spending this amount on fuel would push residual income below the official poverty line.

This is known as the 'Low Income High Costs' indicator (LIHC). There is an emphasis on heating costs, but the cost of hot water, lights, appliances and cooking are also included. Heating and hot water represent 80% of the cost of energy for most domestic households. The new way of estimating fuel poverty reflects both the extent (how many households are in fuel poverty) and depth of the problem (also known as the 'fuel poverty gap') which is defined as the difference between modelled fuel bills and a reasonable cost threshold for each household.

Under the Low Income High Cost fuel poverty indicator, the number of households living in fuel poverty in the CANNOCK CHASE DISTRICT COUNCIL is currently X%. This means that X households out of a total of X are living in fuel poverty. For comparison England has X% or X million households live in fuel poverty.

1.2 What is the Energy Company Obligation (ECO) scheme?

The Energy Company Obligation (ECO) is a government energy efficiency scheme in Great Britain to help reduce carbon emissions and tackle fuel poverty.

The Affordable Warmth (AW) element of the Government's ECO programme delivers heating and insulation measures to low income and vulnerable households in receipt of certain benefits.

1.3 What are the qualifying Criteria for the ECO Affordable Warmth Programme?

In order to qualify for assistance under the Government's ECO programme residents must own (with or without a mortgage) their home or rent from a private landlord. Some measures will also be allowed for tenants in the most inefficient social housing.

Detailed guidance on the financial eligibility for ECO (affordable warmth) can be found at: <http://www.legislation.gov.uk/ukxi/2018/1183/contents/made>

1.4 What is Flexible Eligibility?

Suppliers can achieve up to 25% of their Affordable Warmth target in households falling outside of the eligibility criteria described in section 1.3 above who are defined as eligible by local authorities through this Statement of Intent.

There are specific categories of individuals expected to benefit by the scheme extension:

- People living in fuel poverty, in particular those not in receipt of eligible benefits
- People living on a low income and vulnerable to the effects of living in a cold home

The final decision on whether a household receives an ECO measure is made by the energy suppliers or their agents/contractors. Eligibility will not guarantee installation of measures, as the final decision will depend on:

- a survey carried out by suppliers agents/contractors and installation costs calculated,
- the energy savings that can be achieved for a property, and
- whether suppliers have achieved their targets or require further measures to meet their ECO targets

2. Eligibility Criteria

To be eligible under flexible eligibility, a household must have:

- A low income as determined by table 1 below, and high costs, detailed in point 2.2

OR

- A newly diagnosed health condition listed, as noted at point 2.3, and low income as determined by table 1.

OR

- Be living within 100m of a gas connection, requiring the first time installation of a gas central heating system, with a gross household income as noted in table 1

OR

- Given the nature of the individuals circumstances be deemed by the local authority to be eligible, as to deny eligibility would cause unnecessary hardship, of the potential of poor health.

The local authority does not intend to facilitate SWI “in-fill” projects under flexible eligibility, but reserves the right to review this decision.

2.1 Criteria for identifying households in Fuel Poverty - Low Income

The question of how much money is the minimum needed to just exist varies considerably as it depends on the size of the household, where someone lives, in what type of accommodation and on the individual’s basic needs. Therefore, the only reasonably reliable indicator of poverty that is generally accepted is that of relative poverty.

2.2 Criteria for identifying households in Fuel Poverty - High Costs.

High usage of fuel and therefore high costs, can directly be attributed to the overall energy efficiency of the home, or the cost of the type of fuel being used.

Therefore, high costs will be assumed for any property with an EPC rating of E,F, or G. High costs will also be assumed where the main heating source is not gas central heating.

For any other energy efficiency measure High costs will be inferred by the eligibility for a heating or insulation measure¹ as determined by OFGEM, in their list of approved measures.

Table 1 : “Income” means annual gross income from all sources, including housing-related benefits, before tax. This should be determined based on the preceding annual tax year which runs from 6 th April to 5th April of the following year.

Household Composition	With no household disability. 10% uplift on Child Benefit Allowance	A household with a newly diagnosed health condition listed in 2.3, or without gas central heating NG6. 20% uplift
1 Adult	£15,512	£17,063
And 1 Child	£20,350	£22,385
And 2 Child	£25,300	£27,830
And 3 Child	£30,250	£33,275
And 4+ Child	£35,200	£38,720
2 Adults	£23,426	£25,768
And 1 Child	£28,050	£30,855
And 2 Child	£33,000	£36,300
And 3 Child	£37,950	£41,745
And 4+Child	£42,900	£47,190

2.3 Criteria for Identifying Households on low income with additional vulnerability to the cold

The NICE guideline² ‘Excess winter deaths and illness and the health risks associated with cold homes’ states that: a wide range of people are vulnerable to the cold. This is either because of a medical condition, such as heart disease; a disability that, for instance, stops people moving around to keep warm, or makes them more likely to develop chest infections; or personal circumstances, such as being unable to afford to keep warm enough.

The guideline identifies people with the following health conditions as being particularly vulnerable to cold:

- people with cardiovascular conditions

¹ https://www.ofgem.gov.uk/system/files/docs/2018/11/eco3_measures_table_v3.pdf

² Excess winter deaths and illness and the health risks associated with cold homes NICE guideline [NG6] Published date: March 2015 <https://www.nice.org.uk/guidance/ng6/chapter/What-is-this-guideline-about>

- people with respiratory conditions (in particular, chronic obstructive pulmonary disease and childhood asthma)
- people with mental health conditions
- people with disabilities
- Households with young children (from new-born to school age)

Further groups of people who are vulnerable to the health problems associated with a cold home are also identified in the NICE Quality Standard on 'Preventing excess winter deaths and illness associated with cold homes.' These include:

- people who move in and out of homelessness
- people with addictions
- people who have attended hospital due to a fall
- recent immigrants, asylum seekers and refugees (if living in private tenure)

There are other groups of people who spend most of their time at home because of their health conditions. These include people who are terminally ill and people with suppressed immune systems (for example from cancer treatment or HIV).

CANNOCK CHASE DISTRICT COUNCIL is aware of the additional strain placed on primary, secondary, and social care of cold related ill health, and wishes to undertake a pragmatic approach to supporting those whose health is at risk from a cold home, and those households most likely to require a health intervention at times of "winter pressures" Therefore it will permit a higher income threshold for those identified in NICE guidance NG6, as at risk groups, to take account of this risk.

This statement looks to support those with recent diagnosis of ill health, who are susceptible to the cold, but who have not yet been assessed, or received a disability benefit.

CANNOCK CHASE DISTRICT COUNCIL is aware of limited funding for first time central heating in their locality, which is time limited, and not nationally available. Understanding this, it wishes to follow a more pragmatic approach in allowing individuals to receive support. By installing a more cost effective method of heating these homes, it has the potential to reduce the fuel poverty gap of both current, and future residents, by reducing the high cost element caused by a none mains gas heated property.

2.6 Use of discretion:

We believe this statement of intent to be inclusive, for those that may need support under ECO Flex. However the council is aware that there may be unusual circumstances that it could not reasonably have been expected to have foreseen. In these cases, the statement may exclude householders with a vulnerability, as an unintended consequence. The council therefore reserves the right to review individual cases, and provide a declaration of meeting the flex criteria, where to do otherwise would create unnecessary hardship.

3. Joint Statement of Intent

This section is not applicable to CANNOCK CHASE DISTRICT COUNCIL.

4. Referrals

Referrals to schemes will come from a variety of sources including council departments, the health and social care sectors, the voluntary sector and other agencies. Examples of voluntary sector agencies include local charities such as Beat the Cold.

5. Signature

Tony McGovern
Managing Director

6. Key Contacts

For comments in relation to this Statement of Intent and its development please contact

Martin Peake
Beat the Cold
Email: enquiries@beatcold.org.uk
01782 683813

Report of:	Head of Governance and Corporate Services
Contact Officer:	Adrian Marklew
Telephone No:	01543 464 598
Portfolio Leader:	Corporate Improvement
Key Decision:	No
Report Track:	Cabinet: 18/04/19

CABINET
18 APRIL 2019
EQUALITY AND DIVERSITY POLICY AND EQUALITY OBJECTIVES

1 Purpose of Report

- 1.1 To provide Cabinet with an update on the Council's ongoing equality and diversity duties as set out in the Equality Act 2010 and to approve the draft Equality and Diversity Policy and revised Equality Objectives for the period 2019-2023.

2 Recommendation

- 2.1 That Members approve the Equality and Diversity Policy and the Council's Equality Objectives for 2019-2023.

3 Key Issues and Reasons for Recommendations

Key Issues

- 3.1 The Equality Act introduced in 2010 united all previous equality laws into one single Act. The Act aims to protect the rights of individuals, advance opportunity for all and provides protection from discrimination for individuals on the basis of their protected characteristics. The Act includes a Public Sector Duty (PSED), comprised of a general equality duty and supporting specific duties. As part of the general duty public bodies are expected to set and publish Equality Objectives for the organisation at least every four years.

Reasons for Recommendations

- 3.2 Since the introduction of the Equality Act in 2010, the Council's Equality and Diversity Policy has not been updated recently. To be compliant with both the Equality Act and the Public Sector Equality Duty, the new draft Equality and Diversity Policy will incorporate within it, the requirements to publish Equality Objectives. The recommended objectives outlined in Appendix 1 of the draft

Equality and Diversity Policy take into account the Council as a public provider of services and its customer facing role.

- 3.3 Equality and diversity training is to be provided to all staff and Members by the end of 2019.

4 Relationship to Corporate Priorities

- 4.1 The policy will ensure Equality Objectives support the delivery of priorities set out in the authority's new Corporate Plan. Equality and diversity should be a consideration within all of our key priorities and strategic objectives. An up to date Equality and Diversity Policy and continued completion of Equality Impact Assessments will ensure consistent and fair decision making when working towards our Corporate Priorities.

5 Report Detail

- 5.1 In accordance with the General and Specific Equality Duties, the Council is required to prepare and publish Equality Objectives which address the three aims of the Equality Duty as below:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by or under the equality legislation.
- Advance equality of opportunity between people who share a protected characteristic and those who do not share it.
- Foster good relations between people who share a protected characteristic and those who do not share it.

- 5.2 There is no prescribed number of objectives a local authority must agree. However, objectives should be specific and measurable and set out how progress towards each objective will be measured. Three key objectives are proposed for inclusion in the updated Equality and Diversity Policy and these are:

- Continue to gather and publish data and information about our community to better inform decision making and improve access to Council services.
- Consider how we identify and understand our customer groups and needs in order to offer a better customer service.
- Ensure that all Members and employees undertake relevant equality and diversity training

- 5.3 The draft Policy, attached at Appendix 1 for consideration, provides the context for the Council's proposed equality objectives. It is supported by an action plan to aid implementation and sets out a number of proposed measurable outcomes for assessing progress.

- 5.4 The Council has carried out several tasks in recent years to support and promote our commitment to equality and diversity within the services it offers and as an employer. This has included the creation and distribution of a weekly consultation newsletter, targeting representative groups and bodies; carrying out an internal audit of current equality and diversity practice to understand where improvements can be made; and it has produced a defined analysis of the gender pay gap within the Council, in line with reporting requirements.

6 Implications

6.1 Financial

Training costs - to be met from Corporate Training Budget.

6.2 Legal

Approval and publication of the Equality and Diversity Policy and the Equality Objectives will ensure the Council is compliant with its duties as a public provider of services.

6.3 Human Resources

None.

6.4 Section 17 (Crime Prevention)

None.

6.5 Human Rights Act

None.

6.6 Data Protection

None.

6.7 Risk Management

None.

6.8 Equality & Diversity

Having an up to date Equality and Diversity Policy and Strategy will ensure that the Council can meet its statutory duties, deliver services fairly to the residents of Cannock Chase and maintain its status as a fair and inclusive employer.

6.9 Best Value

None.

7 Appendices to the Report

Appendix 1: Equality and Diversity Policy 2019-2023

Annex 1: Equality Objectives and Action Plan 2019-2023

Previous Consideration

None

Background Papers

None.

Cannock Chase District Council
Equality and Diversity Policy 2019-2023

1 Introduction

- 1.1 This Policy explains the Council's commitment to equality of opportunity and respect for diversity in its role as a service provider to the people who live, work and visit Cannock Chase, and in its role as an employer.
- 1.2 This policy applies to **all** employees, managers and elected Members in all the activities carried out on behalf of Cannock Chase District Council.

2. Aims

- 2.1 This policy responds to and reinforces national legislative requirements, specifically the requirements and statutory duties of the Equality Act 2010. The Act is a single legal framework which protects people from discrimination on the basis of nine protected characteristics:

- Age
- Disability
- Sex
- Gender Reassignment
- Marriage and Civil Partnerships
- Pregnancy and Maternity
- Race
- Religion or belief
- Sexual orientation

- 2.2 The Equality Act 2010 introduced a single Public Sector Equality Duty (PSED) on Cannock Chase District Council, which came into effect in April 2011. To fulfil this duty, when carrying out its functions, the Council must have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and those who do not; and
- foster good relations between people who share a protected characteristic and those who do not.

3 Responsibilities

- 3.1 The successful implementation of this policy is dependent upon **all employees and elected Members** having an individual and collective duty within their roles and responsibilities. If anyone witnesses a discriminatory incident at work, they have a duty of care to others to challenge such behaviour and practice.
- 3.2 The Council's **Leadership Team** is responsible for overseeing the implementation of this policy and managing the Council's performance in pursuit of its objectives.
- 3.3 **Managers** are responsible for ensuring that their services comply with the policy and informing all employees of their responsibility towards the promotion of equalities. They should complete Equality Impact Assessments when:
- reviewing how Council functions are delivered;
 - developing and reviewing Council policies or strategies; and
 - making decisions that may have an impact on people with protected characteristics. They should seek to ensure that appropriate adjustments arising from the Equality Impact Assessments are implemented.
- 3.4 **All employees (including agency staff) and elected Members** must ensure fairness towards colleagues, service users and other members of the community in carrying out their duties. The Council expects that each employee and elected Member, in upholding our commitment to advancing equality, should:
- be aware of the organisation's Equality and Diversity Policy and our statutory duty as a public body in relation to this issue;
 - be sensitive to the potential impact of their behaviour on colleagues and service users, including language used in documents, discussions and other settings; and
 - value openness and fairness at work.
- 3.5 **Third party providers** contracted by the Council to provide services on their behalf, or who are funded by the Council, should ensure their service provision and employment practices are consistent with this policy.

4 Implementation

- 4.1 The Council will prepare and publish its Equality Objectives, as required by the specific duties within the Equality Act 2010. The Council will prepare and publish one or more Equality Objectives and these will be reviewed every four years.
- 4.2 The Council will develop its objectives through a gap analysis of current work within equality and diversity and by using data and information collected from

local and national sources. The Council's current objectives are set out in Annex 1.

- 4.3 When a new policy is planned or a current policy is subject to renewal or review, an Equality Impact Assessment (EqIA) will be carried out at the earliest opportunity to ensure that equality and diversity is full considered. The Council has an EqIA form and guidance to support completion of the assessment available on the Intranet.
- 4.3 The EqIA requires decision makers to consider new and changing policy in relation to its potential impact on those with protected characteristics. Responsive measures are expected to be put into place to eliminate, minimise or balance any adverse impacts identified during the assessment process.

5 Communication

- 5.1 Accessible information and communications are essential in enabling equal access to services. The Council will:
- provide information in other languages and in alternative formats where appropriate;
 - ensure that all employees are aware of their duties under the Equality Act 2010; and
 - promote and support training and development relating to Equality and Diversity.

6 Consultation and Engagement

- 6.1 The Council recognises the need to consult with residents, stakeholders, businesses and employees in a number of different ways. In order to fully involve all parties in shaping and improving our services, the Council will:
- give people a voice by promoting involvement in decision making and review such structures so that any proposed changes are considered and adopted where appropriate;
 - ensure it informs, consults and engages with all significant persons, including elected Members, employees and stakeholders, about decisions which affect them so that they have the opportunity to influence policies and practices;
 - inform and consult in a timely manner, giving appropriate time for all groups to respond fully.
 - engage with representative groups to ensure that people from different backgrounds and with protected characteristics are able to participate in consultation and engagement activities; and

- tailor its approach to suit relevant audiences which does not discriminate towards any protected group.

7 Equality and Diversity in the Workplace

- 7.1 The Council is committed to ensuring diversity and opportunity within the workplace. As the Council has achieved Disability Confident accreditation, it is the Council's policy to interview disabled candidates who meet all the essential criteria as described in the Employee Specification of each post. Reasonable adjustments will be made to facilitate disabilities.
- 7.2 In accordance with the requirements of the specific duties, the Council will publish annually information about its employees who share protected characteristics, to demonstrate its compliance with the duty. The workforce diversity data will be reviewed annually to address any potential gaps that may have arisen as a result of the Council's recruitment practices. This information will be made publicly available on our website.
- 7.3 The Council is committed to ensuring existing employees work in an environment free from bullying, harassment, victimisation and discrimination, and has policies in place to support this.
- 7.4 Employees may also be required to participate in training and development activities from time to time, to encourage the promotion of the principles of this policy.

8 Monitoring and Review

- 8.1 We will monitor our performance against our Equality Objectives and publish our progress annually.
- 8.2 Equality Impact Assessment documents will require sign-off from a member of the Council's Leadership Team and the text of the concluding statement will be included in the Equality and Diversity implications section for the relevant Committee report.
- 8.3 This policy will be updated to reflect any changes to policies and / or procedure within the Council as well as being updated to reflect any changes in legislation.
- 8.4 All employees and Members will be notified of any changes.

9 Providing Feedback and Raising Concerns

- 9.1 Where a Member or employee feels they have been discriminated against, victimised or harassed, they should initially speak with their line manager, or if not appropriate, then their Head of Service or Human Resources. Employees make also seek to raise the matter through the Council's Grievance Policy.

- 9.2 Allegations regarding potential breaches of this policy will be treated in the strictest confidence and investigated in accordance with appropriate procedure.
- 9.3 Complaints from service users who feel they have been discriminated against on the grounds of a protected characteristic will be dealt with via the Council's Corporate Complaints process. Details about how to make a complaint to the Council can be found at www.cannockchasedc.gov.uk/content/-z-tags/complaints

ITEM NO. 8.

Equality Objectives and Action Plan 2019-2023

The specific duties within the Act require public bodies to prepare and publish one or more Equality Objectives. Objectives should be specific, measurable and above all help to further the three aims of the Equality Duty outlined above.

The Council's Equality Objectives and associated Action Plan for 2019-2023 are set out below. These objectives have been developed through a gap analysis of the Council's current work within equality and diversity and using data and information collected from local and national sources.

Objective 1: Continue to gather and publish data and information about our community to better inform decision making and improve access to Council services.

Collecting robust data in our interactions with our workforce and our service users in the community, we will generate detailed equality information ensuring our services are well balanced and advance equality. We will use this data when making decisions to inform how our proposals may impact those with a particular protected characteristic.

Objective 2: Consider how we identify and understand our customer groups and needs in order to offer a better customer service.

The Council will look at its customer service function and how it can better identify customers who may need to be communicated with differently, in order to meet their needs.

Objective 3: Ensure that all Members and employees undertake relevant equality and diversity training

Providing training to all Members and Council employees will mean that all those representing the Council will have a clear understanding of the behaviours expected of them with respect to equality and diversity. This will include training on behaviours, language and terminology that should and should not be used and awareness of potential discriminatory matters which may arise in the workplace.

Action Plan 2019-2023

<i>Action</i>	<i>Responsibility</i>	<i>Timescale</i>	<i>Measurable outcome</i>
Equality Objective 1: Continue to gather and publish data and information about our community to better inform decision-making and improve access to Council services.			
Report on Gender Pay Gap	HR	Annually	Defined analysis of the gender pay gap within the Council, in line with reporting requirements
Undertake an audit of all services to identify what equality monitoring data is collected of our customers protected characteristics and assess how this is used to inform decision making in the development of policies and the delivery of services.	Policy Team All service areas	March 2020	Indication of services where a particular characteristic may be (dis)advantaged over another. Remedy policy or services to reflect required changes.
Equality Objective 2: Consider how we identify and understand our customer groups and needs in order to offer a better customer service			
Analyse systems within the Council to understand how we may identify / flag customers whose protected characteristics mean we adapt our style of communication to suit their needs.	Customer and Support Services Manager	December 2019	That all staff dealing with customers are able to identify customers with a particular need to enable them to effectively communicate with the Council
Equality Objective 3: Ensure that all Members and employees undertake relevant equality and diversity training			
All Council employees and Members to complete equality and diversity training	Policy Team HR	December 2019	All employees and Members to have completed training

Report of:	Head of Housing & Partnerships
Contact Officer:	Kerry Wright
Telephone No:	01543 464368
Portfolio Leader:	Crime & Partnerships
Key Decision:	Yes
Report Track:	Cabinet: 18/04/19

CABINET
18 APRIL 2019
CORPORATE ANTI-SOCIAL BEHAVIOUR POLICY

1 Purpose of Report

- 1.1 To enable Cabinet to review and approve the Council's new Corporate Anti-Social Behaviour Policy.

2 Recommendation

- 2.1 To approve the proposed Corporate Ant-Social Behaviour Policy, which is included as Appendix 1 to the report.

3 Key Issues and Reasons for Recommendation

Key Issues

- 3.1 The Council does not have an existing corporate policy in line with current legislation, statutory guidance and inter-agency procedures.
- 3.2 A number of teams across the Council deliver activities to prevent and manage Anti-Social Behaviour (ASB), including the:
- Partnerships Team
 - Housing
 - Environmental Health

Reason for Recommendation

This new policy sets out, on a corporate basis, the Council's responsibilities around ASB and hate incidents, and provides a common policy framework for the delivery of its services in this respect.

4 Relationship to Corporate Priorities

- 4.1 This report supports the Council's Corporate Priority Improving Community Wellbeing, sustaining safe and secure communities and supporting vulnerable people.

5 Report Detail

- 5.1 The Council recognises that residents are entitled to live in a quiet and peaceful environment free from anti-social behaviour (ASB) and hate crime. For the vast majority of residents, ASB is not an issue. However, where it does occur, ASB can have a devastating impact on the quality of life for residents if not dealt with.
- 5.2 The ASB, Crime and Policing Act 2014 introduced new powers to tackle ASB and provide better protection for victims and communities.
- 5.3 This Policy will ensure that the full range of legal remedies are available to the Council when tackling ASB, and will place victims and communities at the heart of its response. This approach is inline with the intention of the legislation.
- 5.4 In managing ASB and hate related incidents, a firm but fair, transparent and consistent approach will be adopted. The needs and circumstances of vulnerable residents and perpetrators will be taken into account and, where appropriate referrals for support may be made.
- 5.5 The policy explains what we mean by 'anti-social behaviour' (ASB) and sets out the guiding principles for those officers in the Council who deal with ASB.
- 5.6 It says what we want our services to achieve for people experiencing ASB, and sets out the principles on the kind of service level and quality we aim to provide.
- 5.7 The policy document is intended to be a framework with clear principles. For specific service area procedures you should contact the relevant Council directorates. We will develop and maintain procedures for the effective handling of ASB complaints and work closely through the Community Safety Partnership to achieve a satisfactory outcome for the complainant and the community.
- 5.8 The approach will be based on demand lead intelligence to both prevent and act upon ASB by working across departments and with partners to determine the best course of action, and captured in and fully supporting the Cannock Chase Community Safety Partnership priorities and Community Safety Delivery Plan.
- 5.9 Cannock Chase Council Housing Services has its own Anti-Social Behaviour Statement of Policy & Procedures Policy which is in compliance with the Housing Act 1996, the Crime and Disorder Act 1998, The Anti-Social Behaviour Act 2003 and the Anti-Social Behaviour Crime and Policing Act 2014.

www.cannockchasedc.gov.uk/sites/default/files/asb_hate_crime_policy_-_march_2018.pdf

6 Implications

6.1 Financial

There will potentially be financial implications regarding prosecutions and Court Costs.

6.2 Legal

The legal implications are set out in the policy. The Council must give due regard to its public sector equality duty (as set out in the Equality Act 2010) when determining that formal legal action is to be taken against an individual.

- Anti-Social Behaviour Crime and Policing Act 2014
- Anti-Social Behaviour Act 2003
- Crime and Disorder Act 1998
- Data Protection Act 2018
- Equalities Act 2010
- Housing Acts 1985, 1996 and 2004
- Environmental Protection Act 1990
- Clean Neighbourhoods and Environment Act 2005
- Refuse Disposal (Amenity) Act 1978
- Mental Health Act 1983 (amended 2007)
- Human Rights Act 1998
- Freedom of Information Act 2000
- Care Act 2014
- Local Government Act 2000
- Serious Crime Act 2015

6.3 Human Resources

None

6.4 Section 17 (Crime Prevention)

This policy meets the requirement of Section 17 of the Crime and Disorder Act 1998, as amended by the Police and Justice Act 2006, which requires responsible authorities to consider crime and disorder (including anti-social

behaviour and other behaviour adversely affecting the local environment); and the misuse of drugs, alcohol and other substances in the exercise of all their duties, activities and decision-making. This means that in all policies, strategies and service delivery there is a need to consider the likely impact on crime and disorder.

6.5 Human Rights Act

The Human Rights Act 1998 and Equality Act 2010 has been considered with regards to this policy. Proportionality is key to Human Rights compliance. This means striking a fair balance between the rights of the individual and those of the rest of the community. There must be a reasonable relationship between the aim to be achieved and the means used.

6.6 Data Protection

The policy supports Data Protection procedures and requirements and compliments the Council's Data Protection Policy.

6.7 Risk Management

None

6.8 Equality & Diversity

An Equality Impact Assessment has been completed which demonstrated that the policy is robust and shows that there is no potential for discrimination and that we have taken all appropriate opportunities to advance equality.

6.9 Best Value

None

7 Appendices to the Report

Appendix 1: Corporate Anti-Social Behaviour Policy

Previous Consideration

None.

Background Papers

None.



Corporate Anti-Social Behaviour Policy

April 2019 - 2022

Contents	Page No.
1. Policy Statement and Scope	3.
2. The Council's Responsibilities	3.
3. What is anti-social behaviour?.....	Error! Bookmark not defined.
4. Policy principles.....	Error! Bookmark not defined.
4.1 No one should have to suffer from ASB	5.
4.2 Reports of ASB will be treated seriously and dealt with professionally.	5.
4.3 ASB will be addressed firmly, fairly and proportionately.	5.
4.4 We will actively seek to prevent ASB	6.
4.4 We will work with partners in order to deliver an effective, value for money ASB service across our communities_.....	6.
4.5 We will deliver high quality customer service.	6.
5. Action we can take	Error! Bookmark not defined.
5.1 Early and Informal Interventions	7.
5.2 Legal Actions	8.
6. Vulnerable people and Juveniles	Error! Bookmark not defined.
6.1 Hate Incidents and Hate Crime	Error! Bookmark not defined.
6.2 Domestic Abuse	Error! Bookmark not defined.
6.3 Juveniles and ASB.....	10Error! Bookmark not defined.
7. Community Trigger	Error! Bookmark not defined.
8. Supporting and Future legislation	Error! Bookmark not defined.
9. Protecting Our Staff	12.
10. Supporting Policies and Strategies	12.
11. Comments, compliments and complaints.....	13.
12. Media Arrangements.....	13.
13. Monitoring and Review of the Policy	13.

1. Policy Statement and Scope

The Corporate Anti-Social Behaviour policy document supports Cannock Chase Council's vision, 'Leading our community to deliver better jobs and skills, more and better housing, cleaner and safer environments, and better health outcomes.

The Council wants a future for Cannock Chase District that is better than now. We want people to feel safe and free from intimidation in their local areas and to enjoy a pleasant physical environment.

To achieve this we will:

- Work with partners to foster a safer and stronger community.
- Delivering council services that are customer centred and accessible
- Making the best use of limited resources

The policy tells you what we mean by 'anti-social behaviour' (ASB) and sets out the guiding principles for those officers in the Council who deal with ASB.

It says what we want our services to achieve for people experiencing ASB, and sets out the principles on the kind of service level and quality we aim to provide.

This policy document is intended to be a framework with clear principles. For specific service area procedures you should contact the relevant Council directorates. We will develop and maintain procedures for the effective handling of ASB complaints and work closely through the Community Safety Partnership to achieve a satisfactory outcome for the complainant and the community.

The approach will be based on demand lead intelligence to both prevent and act upon ASB by working across departments and with partners to determine the best course of action, and captured in and fully supporting the Cannock Chase Community Safety Partnership priorities and Community Safety Delivery Plan.

Cannock Chase Council owns, manages, monitors and improves its housing stock of 5,164 properties and delivers a dedicated Housing Management Service in relation to dealing with incidents of Anti-Social Behaviour (ASB).

Cannock Chase Council Housing Services has its own Anti-Social Behaviour Statement of Policy & Procedures Policy which is in compliance with the Housing Act 1996, the Crime and Disorder Act 1998, The Anti-Social Behaviour Act 2003 and the Anti-Social Behaviour Crime and Policing Act 2014.

https://www.cannockchasedc.gov.uk/sites/default/files/asb_hate_crime_policy_-_march_2018.pdf

2. The Councils Responsibilities

Cannock Chase District Council believes that no-one should tolerate anti-social behaviour and will use appropriate tools and powers available to local authorities to prevent and address all forms of nuisance. These powers arise from three complementary roles

The Council's role as a Responsible Authority of the Cannock Chase Community Safety Partnership (CCCSP) as defined by the Crime and Disorder Act 1998.

The Act states that the Council must work with the police and other agencies to reduce crime and disorder in Cannock Chase. The Council cannot always resolve ASB complaints in isolation. Often incidents of ASB are complex and require the input of a number of different agencies. The Cannock Chase Community Safety Partnership is a group made up of the Council, Police, Clinical Commissioning Group, Fire and Rescue Service and other agencies that together work to reduce crime and disorder and improve community safety in the District of Cannock Chase.

Under the Crime and Disorder Act 1998, we must work with the police and other agencies to reduce crime and disorder in Cannock Chase. In this role we play a key part in dealing with ASB of all kinds and also undertake project and preventative work as part of the Cannock Chase Community Safety Partnership.

This policy supports the Cannock Chase Community Safety Delivery plan.

As an environmental protection champion the Council has a range of legal powers to deal with environmental anti-social behaviour such as noise, graffiti, litter, rubbish and abandoned vehicles.

This list is not exhaustive and represents the most common offences and may be added to as legislation is updated or amended. In addition there are additional powers which can assist the Council control accumulations of litter and refuse and will seek to take the appropriate action for these offences using a wide range of enforcement actions as prescribed by legislation.

As a Community Champion – the Council will actively support the communities we serve by promoting campaigns and projects to raise awareness of and improve the perception of ASB

3. What is Anti-Social Behaviour?

A broad definition of anti-social behaviour is difficult but what is important to us in defining anti-social behaviour is the effect of the behaviour on members of the community.

Anti-social behaviour (ASB) is defined under section 2 of the Anti-social Behaviour, Crime and Policing Act 2014.

- (a) conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,
- (b) conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
- (c) conduct capable of causing housing-related nuisance or annoyance to any person.

For the purposes of the community trigger, ASB is defined as "behaviour causing harassment, alarm or distress to members or any member of the public" (section 105(4) of the Anti-social Behaviour, Crime and Policing Act 2014 refers).

Not every allegation reported to us will be accepted as being anti-social. All calls will be assessed and passed to the relevant responsible department.

If the calls are not determined to be ASB (eg some complaints may be about lifestyle differences or everyday living noises) we will inform the complainant of any actions which may or may not be taken.

Any intervention taken as a result of alleged ASB will be proportionate and considered on a case by case basis.

Legal action will only be sought as a last resort where all other interventions have failed or the action is necessary to protect the community

4. Policy Principles

These principles underline our approach to tackling anti-social behaviour, how we manage cases and work with our customers and partners.

4.1 No one should have to suffer from ASB

We will:

- make people aware of what anti-social behaviour is and empower them to understand their role in this.
- publicise and promote our various services to tackle ASB
- empower and encourage people to report ASB and make it possible for them to do this using a range of reporting methods.
- respond to each reported case of ASB.
- support victims of ASB throughout the case.
- ensure our Housing tenants are aware of the obligations of the tenancy agreement relating to anti social behaviour

4.2 Reports of ASB will be treated seriously and dealt with professionally.

We will:

- assess the seriousness of ASB reported to us, and take action in accordance with our service standards.
- treat all reports as confidential unless we consider that we should share information for safeguarding purposes, prevention of crime disorder or where it is in the public interest.
- Identify and access support for new Housing tenants and victims to sustain their tenancies where applicable
- share information only with other organisations that can help with the problem and observe data protection laws and in accordance with the One Staffordshire Information Sharing Protocol.
- ensure that criminal activities reported to the Council are quickly passed on to the police.
- fully investigate the complaint in accordance with relevant legislation
- explain our reasons should we choose to take no action, and advise on self-help or other alternative courses of action whenever it is possible and appropriate to do this.

4.3 ASB will be addressed firmly, fairly and proportionately.

We will:

- appropriately risk assess all complaints and prioritise accordingly, acting swiftly to investigate the circumstances and seek to understand all the facts of any matter reported to us.
- seek where possible to resolve cases at the lowest level of intervention, taking formal action when the ASB is serious or persistent or when it threatens people's safety or health.

- use appropriate legal tools and powers available to us under the law and Council policy, according to our best professional judgment.
- Consider relevant legislation (ie the Equality Act/Care Act/Human Rights Act) and adjust our approach as necessary, when a victim or a perpetrator is a vulnerable person.
- Publish case outcomes and reserve the right to use campaigns to target areas of concern

4.4 We will actively seek to prevent ASB

We will:

- use an intelligence lead approach to determine the best cause of action using a wide range of available powers to tackle ASB
- work with partners to identify appropriate diversionary activities
- work with residents, tenant and community groups to develop a neighbourhood approach to tackling ASB
- focus on locally agreed strategies for preventing and tackling ASB with due regard to environmental and social concern
- Provide new Housing tenants with information on their community responsibilities
- Support and assist partners with the rehabilitation of offenders where appropriate

4.4 We will work with partners in order to deliver an effective, value for money ASB service across our communities.

We will:

- play a full part as a lead member of the Cannock Chase Community Safety Partnership. participate in relevant strategic or preventative initiatives, being mindful of our core activities, current workload and costs of participation relative to the likely benefits.
- set shared objectives for all partners and external agencies for the prevention and tackling of ASB
- participate in multi-agency workgroups dealing with specific ASB issues.
- work with Registered Providers, private landlords, letting agents, schools, colleges and businesses, providing professional advice and support as required so that these organisations can act confidently to prevent or tackle ASB making use of their own resources.
- Work in partnership to identify appropriate funding opportunities and community projects to address concerns

4.5 We will deliver high quality customer service.

We will:

- ensure that staff dealing with ASB are trained in equality, diversity and safeguarding.
- ensure that staff dealing with ASB follow agreed policies and procedures.
- provide a range of opportunities for tenants and residents from all groups to get involved in shaping and scrutinising our services
- obtain customer feedback through surveys of users of the ASB service provided by Cannock Chase Council to rate their satisfaction with the service.

Based on this approach we will seek to ensure a “place based solution” that builds community resilience and allows for informed and empowered outcomes.

5. Action we can take

The majority of complaints can be resolved through early intervention methods and these are considered as part of the Community Safety Partnership with an emphasis on stopping bad behaviour before it escalates. Legal action will usually be approved where all early interventions have failed or the behaviour is serious enough to warrant necessary legal action.

5.1 Early and Informal Interventions

No Action

In some cases no action will be taken in cases where there is little or no evidence, or where an alleged offender has fully co-operated with information given in accordance with this policy.

Acceptable Behaviour Agreement/Parenting Contracts

These are voluntary written agreements between an individual, the Council and sometimes other agencies including education and Staffordshire Police. They are useful in dealing with children age 10 plus and in relation to truanting and ASB. These agreements are not legally binding however they are useful in highlighting children's behaviour to their parents and letting them know the consequences if they are not adhered to, which can impact on the tenancy.

Surveillance/CCTV

CCTV service provides a monitoring and recording service which covers Cannock Hednesford and Rugeley using over 100 CCTV cameras and operate 24/7 365 days of the year. The service works in partnership with Staffordshire Police and the criminal justice system by providing quality images of incidents which are then released to the police and used as evidence to support police actions and court cases.

Cannock Chase Council's CCTV team have direct links with the Staffordshire Police Control room and use a radio system to connect to local businesses, pubs and clubs when detecting and reacting to reports of ASB and criminal incidents around the area.

Community Protection Warnings

Community Protection Warnings were introduced in the Anti Social Behaviour, Crime and Policing Act 2014 and can be used in ongoing problems or nuisances which negatively impact on the community's quality of life, for example graffiti, rubbish or noise. These are prescribed forms advising what behaviour needs to stop and by when, followed by positive behaviour expected in the future.

Community Resolution

For less serious issues of ASB where informal agreements are reached between the parties involved to avoid progression through the legal action route.

Fixed Penalty Notices (FPNs)

A Fixed Penalty Notice (FPN) will be issued to persons who have committed a relevant offence – e.g. littering, breach of Public Space Protection Order. Full payment of the FPN will discharge the original offence for which the individual cannot then be prosecuted, provided that full payment is received within the specified time period.

FPNs provide the Council with an effective and visible way of responding to low level environmental ASB e.g. littering and breach of a Public Space Protection Order. They can also be considered for breach of Community Protection Notice.

FPNs will not normally be issued to juveniles (see Section 7)

It is essential for the issuing of a Fixed Penalty Notice that the authorised officer collects adequate evidence to support any legal proceedings if the notice is returned unpaid.

The Council's standard approach will be to set the level of FPN's payable to the maximum set by statute in the prevailing legislation.

5.2 Legal Actions

If a perpetrator is unwilling to change their behaviour or acts in a manner that is threatening or violent, there are formal tools available to the Council and agencies within the Cannock Chase Community Safety Partnership.

Community Protection Notices (CPN)

These Notices are intended to deal with persistent problems that are impacting on the community's quality of life for example graffiti, rubbish or noise. Breach of a CPN can result in a Fixed Penalty Notice issued by delegated officers of the Council or Police officer or prosecution through the magistrates' court.

Public Space Protection Orders (PSPO)

This order imposes conditions which may include multiple restrictions and requirements either throughout the District or in specific areas for example parks or communal areas, where ASB is being caused and is detrimental to the community.

They are designed to ensure that the majority of people can enjoy public spaces and feel safe for example restrictions around the use of alcohol, noise or dogs.

Breach of a PSPO can result in a Fixed Penalty Notice issued by any delegated officer of the Council or Police officer or prosecution.

Civil Injunction

This is a court order to stop or prevent individuals engaging in ASB. It can be used to stop issues escalating and positive requirements can be added to encourage the perpetrator to change their behaviour.

Injunctions are available to use from the age of 10 years and for anybody, not just social housing tenants.

Breach of an injunction can result in a fine or imprisonment for up to 2 years for over 18's. For under 18's the court can issue a supervision order or detention up to 3 months.

Where a breach has occurred by a tenant of Cannock Chase Council, a new mandatory ground for possession has been introduced.

Closure Notices and Orders

This Notice can be used by the Chief Inspector of Police and/or the Managing Director of Cannock Chase Council. Where there are high levels of nuisance, disorder or illegal activity either currently ongoing or expected imminently, a Closure Notice can be served quickly, closing the property for up to 48 hours. To apply for a property to be closed longer than this, a Closure Order can be requested through the court.

Prosecution

In certain cases prosecution through the courts may be the most appropriate course of action, or where other enforcement actions have had no effect. This will only be with due regard to the Enforcement Strategy principles.

Prosecution will likely follow when:

- A Fixed Penalty Notice is issued to an alleged offender is returned unpaid after the 14 day payment period
- An offence is of a size or nature where other enforcement actions are considered to be insufficient.
- Previous actions have failed and there is no option for other enforcement action
- The nature of the offence is deemed to be in the interest of the public
- The offence has a serious or significant impact on the environment and community

Criminal Behaviour Order (CBO)

These Orders can be issued against a person aged 10 upwards who has been convicted of an offence to tackle the most persistent anti social behaviour where involvement includes criminal activity. Breach of a CBO for over 18's can result in up to 5 years' imprisonment, a fine or both. For under 18's, the court can issue a two year detention order.

Notice of Intention to Seek Possession

This is a legal Notice served on the tenant/s advising them of their Landlord's intention to seek possession of their home. A Notice will usually be served where previous early interventions have not been successful and ASB is escalating.

Possession Proceedings

This is an application by the landlord to the court which can lead to the tenant/s being evicted from their home. There will have been several warnings prior to this stage which is usually the last resort. The landlord would need to show that it is reasonable for the court to evict the tenant/s. A new mandatory ground for possession 'Absolute Grounds' was introduced in the Anti Social Behaviour, Crime and Policing Act 2014 and this can be used where ASB or criminality has already been proved in another court. As long as the landlord follows the correct procedures, the court must grant possession.

Demotion Orders

In circumstances where anti social behaviour is prolonged and detrimental but of a less serious nature than required for a possession order, the Landlord can ask the court to reduce the security of tenure but it can still lead to possession if breached. These orders remove certain rights including the right to buy and the right to exchange. Demoted tenancies last for a year and may be extended if notice to seek possession of the property is served during this period.

Other Registered Social Landlords form part of the Cannock Chase Community Safety Partnership and we will work with them to use appropriate powers as necessary.

6. Vulnerable people and Juveniles

In the course of an investigation an officer may come across a person whose welfare may raise safeguarding concerns. Whether or not the subject has a direct connection to the case under investigation, it remains the duty of officers to ensure that these safeguarding concerns are properly logged and passed to the appropriate agency in line with the Council's Safeguarding Children and Adults at Risk of Abuse and Neglect Policy.

We recognise that perpetrators of ASB may themselves be vulnerable and we will consider the provision of support to help an individual address their unacceptable behaviour. Where the perpetrator has vulnerability issues, such as poor parenting skills, disabilities, mental health problems, drug or alcohol dependency, we will work with partner agencies to provide intervention and support.

6.1 Hate Incidents and Hate Crime

A hate crime or incident is any crime or incident which is perceived, by the complainant or any other person, to be motivated by hostility or prejudice based on a person's actual or perceived social group or groups, and this could be one or more of the following:

- Disability
- Gender
- Race
- Religion and belief
- Sexual Orientation
- Transgender

We will:

- Respond to hate reports
- Take all reports of hate seriously
- Encourage victims to report hate crime to the police
- Work with partner agencies to support victims
- Take hate complaints from third parties on behalf of the victim/s

6.2 Domestic Abuse

Domestic Abuse is a specific type of crime usually, but not always, directed towards women. Some examples of this type of abuse are:

- Controlling and coercive behaviour
- Physical abuse
- Sexual abuse
- Emotional abuse
- Honour based crimes including forced marriage
- Female Genital Mutilation (FGM)

We are committed to highlighting issues as early as possible and providing early support and intervention to complainants through our partner agencies.

The Anti Social Behaviour Crime and Policing Act 2014 added strength to already powerful domestic abuse legislation in place such as Non Molestation Orders, Occupation Orders, Domestic Violence Protection Notices (DVPN's) and Domestic Violence Protection Orders (DVPO's).

6.3 Juveniles and ASB

Fixed Penalties

When a juvenile is alleged to have committed an environmental or other ASB offence for which a Fixed Penalty can be issued, the name, address, age and date of birth of the suspected offender should be obtained, together with the name and address of his or her parent or legal guardian. Once the age of the offender has been ascertained, the correct course of action can then be followed.

For offenders between 10 and 15 years old, DEFRA guidelines (environmental ASB) state that a fixed penalty should not normally be issued in the first instance.

Legally fixed penalty notice can be issued to anyone over the age of 10 and authorities are recommended to adopt special procedures for issuing notices to young offenders.

To tackle the issue of environmental ASB by young people we will introduce a restorative justice intervention scheme for 10-17 year olds, where there is an alternative option to the fixed penalty notice financial and/or Court action.

For offenders aged 16 or 17 years old, a Fixed Penalty Notice can be issued using the same procedure as for adults.

7. Community Trigger

Any person has the right to activate a Community Trigger if they feel their complaint(s) regarding ASB has not been dealt with appropriately.

The Community Trigger is designed to ensure the Council and our partners are responding to cases of persistent ASB, especially where the victim is vulnerable or at greater risk.

The trigger gives victims and communities the right to request a case review to examine how local agencies have responded to previous ASB complaints and consider whether further action should be taken

Cannock Chase Council with our partners in the Cannock Chase Community Safety Partnership has agreed that the local threshold for activating a trigger will be:

- Three separate incidents have been reported in the last 6 months to the police, council or social landlord
- The last report was within one month of the day of the trigger application

A victim of ASB and someone acting on their behalf can ask to activate a Community Trigger by telephoning Staffordshire Police on 101. Local partners are required to review their response.

The Police and other partner agencies will share relevant information for the purpose of carrying out the case review.

The ASB Crime and Policing Act 2014 places a duty on the relevant bodies to respond to the victim at particular points in the Community Trigger process. These include:

- The decision as to whether or not the threshold is met
- The outcome of the review, and

- Any recommendations made as an outcome of the review.

8. Supporting and future legislation

This Policy contributes to the councils statutory requirement under the Crime and Disorder Act 1998 that places a legal duty on the council to work in partnership to tackle the District 's crime and disorder priorities, specifically section 17 that states that "each authority needs to do all it reasonably can to prevent crime and disorder and to ensure services give due regard to crime and disorder."

Together with our partners, we will make full use of relevant legislation including but not limited to:

- Anti-Social Behaviour Crime and Policing Act 2014
- Anti-Social Behaviour Act 2003
- Crime and Disorder Act 1998
- Data Protection Act 2018
- Equalities Act 2010
- Housing Acts 1985, 1996 and 2004
- Environmental Protection Act 1990
- Clean Neighbourhoods and Environment Act 2005
- Refuse Disposal (Amenity) Act 1978
- Mental Health Act 1983 (amended 2007)
- Human Rights Act 1998
- Freedom of Information Act 2000
- Care Act 2014
- Local Government Act 2000
- Serious Crime Act 2015

The council will develop and publish revised procedures necessary to implement any future legal powers.

9. Protecting Our Staff

Cannock Chase Council will not tolerate, under any circumstance, any threats, violence or abusive behaviour towards our staff or contractors. We will take firm action against any person who shows acts of aggression towards any person carrying out their work in respect of this ASB Policy or any other service. We will involve the police if it is decided that this action is appropriate.

Where there is a risk of harm or violence from someone at an address, a marker will be added to all Cannock Chase Council systems as a warning to staff that may come in to contact with this person

10. Supporting Policies and Strategies

This Corporate Anti Social behaviour policy links to a number of existing strategies and policies that may impact on the reduction of ASB in the District of Cannock Chase. Some of these are listed below:

- Allocations Policy
- Tenancy Management Policy
- Cannock Chase Community Safety Delivery Plan

- Lone Working Policy
- Domestic Abuse Policy
- Hate Crime Policy
- Safeguarding Children and Adults at Risk of Abuse and Neglect Policy

11. Comments, compliments and complaints

Cannock Chase Council is committed to providing high quality, accessible and affordable services to all of its Customers.

There are times when we do things well, but we accept that there may also be times when things go wrong and you are left unhappy or dissatisfied.

We value your feedback and want to hear from you whether you have a comment, compliment or complaint about our services.

If you have a complaint and this cannot be resolved informally, you may wish to make a formal complaint. You can do this online, by telephone on 01543 462621 or write to Cannock Chase District Council, Beecroft Road, Cannock, WS11 1BG.

12. Media Arrangements

Where possible and if it is deemed to be in the wider community interest we will publish the outcomes of court decisions taken where prosecutions have been undertaken by the Council.

13. Monitoring and Review of the Policy

We will review this policy every 3 years to ensure that any changes in legislation or best practice are included and updated.

We will consult with service users, staff, internal and external partners in the review.

The Council will maintain procedural documents for the use of ASB enforcement powers and this will be subject to scrutiny and monitoring by the Housing, Crime and Partnerships Scrutiny Committee.

Any changes to policy will be subject to Cabinet approval.

Report of:	Head of Housing and Partnerships
Contact Officer:	Janet Baldasera
Telephone No:	01543 464 317
Portfolio Leader:	Housing
Key Decision:	Yes
Report Track:	Cabinet: 18/04/19

CABINET
18 APRIL 2019
HOMELESSNESS & ROUGH SLEEPING HOUSING PATHWAY PROJECT

1 Purpose of Report

- 1.1 To consider using up to five Council flats to provide accommodation for the Homelessness & Rough Sleeping Housing Pathway Project.

2 Recommendations

That

- 2.1 The Head of Housing and Partnerships be authorised to agree Terms and Conditions to let up to 5 Council flats to the Homelessness & Rough Sleeping Housing Pathway Project Pathway Provider.
- 2.2 A review is undertaken following a 12 month operational period with regard to the transition of the licensees into tenancies in the long-term and subject of a future report.

3 Key Issues and Reasons for Recommendations

Key Issues

- 3.1 A joint project has been undertaken with Lichfield District Council to develop a Homelessness & Rough Sleeping Pathway. The overall aim of the project is to support individuals off the street or out of precarious housing situations and ensure any accommodation offered is sustained in the long term, thus reducing incidence of rough sleeping and repeat homelessness.
- 3.2 Through the use of the Council's Flexible Homelessness Grant and potential government funding through Rough Sleepers Initiative an initial 2-year Homelessness & Rough Sleeping Housing Pathway project is being commissioned and developed.

- 3.3 The Provider will be commissioned to procure and maintain at least five units of accommodation. It is expected that this will be from the private rented sector. However, due to the size and availability of private rented properties within the District, and whilst an approach will also be made to Registered Providers to assist in the provision of suitable accommodation, it may be necessary to make available suitable Council accommodation. Given the make up of the client group i.e. single people it is suggested that up to 5 one-bedroom flats may be let to the Provider.

Reasons for Recommendations

- 3.4 The Council would agree terms via either a lease or management agreement to enable a Provider to take over the management of the flat for an initial period of 2 years. The Council would receive full rental income from the Provider during this time, including during any void periods. The Provider would charge rent to the tenants occupying the flat and an additional intensive housing management cost to cover any support needs. The Council will also negotiate a monthly charge, in addition to the rent attributable to the property for the increase in maintenance costs that may occur.
- 3.5 Under the management agreement the client will be licensee of the outreach provider however, it is envisaged that at a point in time that, provided the tenant is capable of sustaining a tenancy, the management agreement may be ended and the client will become an Introductory Council Tenant. The transition will need careful planning and it is suggested that the process to be followed is determined following a period of 12-month operation.

4 Relationship to Corporate Priorities

- 4.1 This report supports the Council's Corporate Priorities as follows:
- (i) Promoting Prosperity – Increase housing choices and make best use of housing stock.

5 Report Detail

- 5.1 A joint project has been undertaken with Lichfield District Council to develop a Homelessness & Rough Sleeping Pathway. The overall aim of the project is to support individuals off the street or out of precarious housing situations and ensure any accommodation offered is sustained in the long term, thus reducing incidence of rough sleeping and repeat homelessness.
- 5.2 The client group have complex issues, difficulty in sustaining a tenancy, and may have been excluded from the Council's Housing Waiting list. Whilst there is a number of units of supported accommodation in the district including the Council's Shared Accommodation Project this only offers low level support.
- 5.3 Through the use of the Council's Flexible Homelessness Grant and potential government funding through Rough Sleepers Initiative an initial 2-year

Homelessness & Rough Sleeping Housing Pathway project is being commissioned and developed.

- 5.4 The service will be developed with the customer at its heart and the Provider will adopt a variety of creative and innovative approaches to engage with individuals and involve customers in shaping the service. It will coordinate existing multi-disciplinary services to ensure a customer's needs are met, where gaps exist, it will work tenaciously to find solutions to bridge these gaps. It will be committed to developing and maintaining positive relationships with stakeholders and the local community.
- 5.5 The Provider will be commissioned to procure and maintain at least five units of accommodation. It is expected that this will be from the private rented sector. However, due to the size and availability of private rented properties within the District, and whilst an approach will also be made to Registered Providers to assist in the provision of suitable accommodation, it may be necessary to make available suitable Council accommodation. Given the make up of the client group i.e. single people it is suggested that up to 5 one-bedroom flats may be let to the Provider.
- 5.6 The Council would agree terms via either a lease or management agreement to enable a Provider to take over the management of the flat for an initial period of 2 years. The Council would receive full rental income from the Provider during this time, including during any void periods. The Provider would charge rent to the tenants occupying the flat and an additional intensive housing management cost to cover any support needs. The Council will also negotiate a monthly charge, in addition to the rent attributable to the property for the increase in maintenance costs that may occur.
- 5.7 A key principle of Housing First is that the property is made available to the client, in a suitable location for the client preferably close to existing support networks and is not dependent on engaging with or completing a support plan. In most supported housing models clients are moved on to a tenancy or other permanent accommodation when they have completed a support plan and are considered capable of sustaining a tenancy. The issue with "move on" is that support networks may be lost and impacts on the client's ability to sustain the tenancy.
- 5.8 Under the management agreement the client will be licensee of the outreach provider however, it is envisaged that at a point in time that, provided the tenant is capable of sustaining a tenancy, the management agreement may be ended and the client will become an Introductory Council Tenant. The transition will need careful planning and it is suggested that the process to be followed is determined following a period of 12-month operation.

6 Implications

6.1 Financial

The report is based on the Local Authority receiving the current rent attributable to the property, reflecting any rent decreases or increases in line with policy. The

Council would still be held responsible for the maintenance of the property and therefore an agreement should be considered for the Council to be reimbursed for any additional maintenance costs occurred; current report proposes an additional £20-£30 charge per month for potential increases in maintenance costs. Any potential VAT implications are currently being reviewed.

6.2 Legal

Careful consideration would need to be given as to the type of tenancy or licence which is to be granted to the client to ensure security of tenure issues do not arise. If the client is to be given exclusive occupation of the flat then their status is likely to be that of a tenant rather than licensee.

6.3 Human Resources

None

6.4 Section 17 (Crime Prevention)

The provision of this type of accommodation will provide a “stable” living environment and help combat crime and anti-social behaviour.

6.5 Human Rights Act

None

6.6 Data Protection

None

6.7 Risk Management

There are a number of risks associated with the provision of Housing First accommodation. These risks can, however, be mitigated by robust management and the flat will be managed by a Provider that has experience in providing this type of accommodation along with the associated support.

6.8 Equality & Diversity

The provision of the accommodation arrangement for rough sleepers would be subject to Equality Impact Assessments by the Provider landlord.

6.9 Best Value

The use of the accommodation will only be actioned in the event other accommodation is not available within the private rented sector.

7 Appendices to the Report

None.

Previous Consideration

None

Background Papers

None

Report of:	Head of Economic Prosperity
Contact Officer:	Debbie Harris
Telephone No:	01543 464 523
Portfolio Leader:	Economic Development & Planning
Key Decision:	Yes
Report Track:	Cabinet: 18/04/19

CABINET
18 APRIL 2019
FUNDING CONTRIBUTION FOR DEVELOPMENT OF BUSINESS CASE FOR
CANNOCK CHASE ENGINEERING ACADEMY

1 Purpose of Report

- 1.1 To endorse the use of up to £15,000 revenue from an existing Council budget to contribute to the cost of producing a Treasury Green Book business case for an additional £500,000 capital funding from the Greater Birmingham and Solihull LEP for the new Cannock Chase Engineering Academy (CCEA) based at the Cannock Chase Skills and Innovation Hub in Cannock Town Centre.
- 1.2 To update Members on the progress of establishing a CCEA in accordance with the Council's Corporate Plan 2018-2023 and Promoting Prosperity Corporate Priority.

2 Recommendation(s)

- 2.1 That Cabinet gives approval and permission to spend for up to £15,000 revenue from an existing Council budget to jointly develop a Treasury Green Book Business Case for £500,000 capital allocation from the Greater Birmingham and Solihull LEP to allow for the purchase of state-of-the-art engineering equipment in the new CCEA that will provide higher level BTEC Engineering qualifications up to an including higher education qualifications.
- 2.2 That Cabinet authorise the Head of Economic Prosperity and the Head of Legal Services, in consultation with the Economic Development & Planning Portfolio Leader and Town Centre Regeneration Portfolio Leader to work in partnership with South Staffordshire College to implement and carry out any said actions to be able to equip and establish the proposed CCEA. This delegated authority extends to setting up and entering into all necessary agreements to deliver the project.

3 Key Issues and Reasons for Recommendations

Key Issues

- 3.1 The District Needs Analysis 2018 identifies that there is a need to increase higher level skills in the District. This is an issue generally for the District but also more specifically linked to potential future growth sectors (including the engineering sector). Cannock Chase is currently below the national average regarding residents attaining NVQ level 4 and above.
- 3.2 The issue is that we need to invest now in order to better equip our residents with the skills they need to be able to secure higher level (better paid) skilled positions within the District. By the Council taking direct action to aid local delivery of higher level skills provision means individual residents will have the opportunity to increase their economic prospects and prosperity. Wage rates will be pushed upwards by making such an intervention and could even be helpful in retaining the small number of highly skilled people within the District itself and reduce out-commuting. Taking action to increase the supply of local skilled workers will increase the opportunity to attract high value inward investment into the District or retain local companies that wish to grow.
- 3.3 It has been long recognised by local employers that there is a gap in skills provision aligned to the engineering sector. The Council has an opportunity through the CCEA to invest directly in the skills supply chain. State-of-the-art facilities are very limited locally and emerging technologies need to feature in any curriculum delivery to make the courses relevant and therefore beneficial for engineering companies to access.
- 3.4 In response to this local need, opportunities for attracting in further public sector funding have emerged and the urgency for investing in skills has been prioritised more highly by Local Enterprise Partnerships (LEPs) and other key stakeholders. A successful bid for £500,000 has been made by the Council and South Staffordshire College to the Stoke and Staffordshire LEP (SSLEP). This is on the basis of match funding being made by the Council. The total funding package secured to date is £1m from the District Council and Staffordshire & Stoke on Trent LEP. All monies will be invested in purchasing new state of the art equipment for the CCEA. All revenue including teaching/delivery costs are the responsibility of the College and not the Council. Any external funding awarded to the project will be granted to South Staffordshire College as the accountable body for the project.
- 3.5 A further bid for £500,000 has been submitted to the Greater Birmingham and Solihull LEP (GBSLEP). This additional funding element is to establish the necessary infrastructure to deliver BTEC Level Higher National Diplomas in Engineering at levels 4 and 5 or the Higher level Apprenticeship in Advanced Manufacturing. The principle loss to the project if the GBSLEP funding is not received would be the Computer Numerical Control (CNC) equipment, which is key to teaching higher level engineering skills. It is of vital importance that the CCEA is not merely limited to basic engineering skills but allows for higher qualification delivery models to meet local industry demands. It is also the case that Cannock Chase District has lower than average levels of qualifications at

Level 4 and 5 and the enhanced Engineering Academy is a response in part to this issue.

Reasons for Recommendations

- 3.6 Initial feedback from GBSLEP has been favourable for the bid but the LEP requires a Treasury Green Book compliant business case to support a formal decision on whether to approve this investment. Neither South Staffordshire College nor the District Council has the capacity or expertise to produce a business case to such a detailed level. It is therefore necessary for the College to engage an external third party to produce the Green Book compliant business case. The estimated cost of this is £30,000. The District Council is a joint partner with the College to establish the CCEA as set out in the Memorandum of Understanding approved by Cabinet in 2018.
- 3.7 It is therefore proposed that the District Council fund 50% of the cost of producing the Green Book business case in partnership with South Staffordshire College up to a maximum of £15,000. This is from an existing Council budget for funding the development of business cases.

4 Relationship to Corporate Priorities

- 4.1 This report supports the Council's Corporate Priorities as follows:
- (i) Increasing the skills levels of residents and amount of higher-skilled jobs in the District through the provision of high-technology engineering equipment.
 - (ii) Increasing access to employment opportunities through providing local residents with relevant skills for the labour market.

5 Report Detail

Background

- 5.1 The District Needs Analysis outlined that Cannock Chase is currently ranked as the most deprived District in Staffordshire for Education Skills and Training. 25.4% of residents in Cannock Chase are qualified to NVQ Level 4+. This is a lower proportion than in the West Midlands (31.5%) or Great Britain (38.2%). Therefore, a need for quality higher level provision for Cannock residents is required in order to optimise local employment opportunities.
- 5.2 To meet Cannock Chase employment and skills needs the CCEA will deliver industry-relevant qualifications at the higher level, with Robotics and Research and Development (R&D). These qualifications have been developed to provide a challenging programme of study that will enable learners to develop the knowledge and skills required for today's engineering industry.
- 5.3 A Memorandum of Understanding (MOU) has been developed between Cannock Chase District Council and South Staffordshire College which outlines the intentions of the partners to deliver this proposed CCEA. The MOU

demonstrates a commitment to the wider Skills and Innovation Hub and making it financially stable.

- 5.4 A successful bid of £500,000 has been approved by the SSLEP to the Cannock Chase Engineering Academy (CCEA). Cabinet will be aware that the District Council has also approved an investment of £500,000 from the District Investment Fund and a bid for a further £500,000 to the GBSLEP is in process. This would provide a total capital funding input of £1,500,000 to the development of the academy. The additional £500,000 from GBSLEP would enable the CCEA to deliver BTEC Higher National Diplomas in Engineering at levels 4 and 5. It would also provide the necessary infrastructure to support delivery of Higher Apprenticeships in Advanced Manufacturing at level 4.
- 5.5 The CCEA will provide schools with an opportunity for students to have taster days, where they can engage with equipment and industry specialists to gain a realistic insight into the sector. There will be specific college provision for 14-16 year olds which will enable students to take part in engineering related courses. This will assist with raising aspirations at school-age, while expanding pupils' experiences with this high growth sector.
- 5.6 Engineering sector companies will have a central role in the design of curricula and in the delivery of course and training provision at the college. This will ensure that the delivery content meets the needs and requirements of industry.
- 5.7 In summary, the proposed CCEA project as a whole will deliver the following outputs:
- 1000 learners over three academic years;
 - 210 apprenticeships (16-19+ years), from intermediate to higher levels;
 - £1500 value for money per learner based on total project cost;
 - Supply chain multiplier of £1.45 Gross Value Added (GVA);
 - 25 employers participating in the CCEA;
 - An Engineering Excellence Club;
 - 11 different qualifications ranging from basic to higher levels;
 - A study programme, including pre-apprenticeships for 14-16 year olds;
 - Traineeships to provide learners with a taster into the engineering sector;
 - A projected 510 jobs created over three academic years;
 - A potential to generate £37,833,840 GVA for the Staffordshire economy.
- 5.8 Accountability for the CCEA will be with South Staffordshire College, as they have a management team in place for Skills and Innovation Hub activities. Any clawback (for example of LEP monies) and all reporting will be the responsibility of South Staffordshire College and not Cannock Chase District Council. The costs of accommodating the CCEA are being met by South Staffordshire College with other revenue associated costs of delivery. The procurement of the equipment and the conversion of the building are the responsibility of South Staffordshire College and as such they need to comply with normal procurement procedures.
- 5.9 Initial feedback from GBSLEP has been favourable for the bid but the LEP requires a Treasury Green Book compliant business case to support a formal

decision on whether to approve this investment. Neither South Staffordshire College nor the District Council has the capacity or expertise to produce a business case to such a detailed level. It is therefore necessary for the College to engage an external third party to produce the Green Book compliant business case. The estimated cost of this is £30,000. The District Council is a joint partner with the College to establish the CCEA as set out in the Memorandum of Understanding approved by Cabinet in 2018.

- 5.10 It is therefore proposed that the District Council fund 50% of the cost of producing the Green Book business case in partnership with South Staffordshire College up to a maximum of £15,000. This is from an existing Council budget for funding the development of business cases.

6 Implications

6.1 Financial

The £15,000 (50%) contribution towards the cost of producing the Green Book business case may be met from an existing Council budget.

6.2 Legal

None.

6.3 Human Resources

South Staffordshire College have allocated resources using their normal processes and have assigned new directors (e.g. Director of Construction, Engineering and Agri-STEM) to ensure the commercial business needs of the sector are appropriately implemented.

6.4 Section 17 (Crime Prevention)

The provision of CCEA will contribute to the reduction of those not in education, employment or training (NEETs). It will equip learners with relevant skills for the local labour market thus reducing unemployment levels.

6.5 Human Rights Act

There are no human resource implications in the report.

6.6 Data Protection

All data e.g. company details will be managed in compliance with GDPR.

6.7 Risk Management

Reduced / no funding from the GBSLEP– the mitigation is that the project is scalable. However the consequences of significant reduced funding will reduce the capacity for the CCEA to provide higher level course and training delivery.

Lack of take-up – This is unlikely as the engagement to date has been robust and support has been demonstrated by companies such as: ZF Lemberder UK, ATP Industries and Weldall Cannock.

Course quality and or lack of demand – The management board will monitor curricula quality at least quarterly. This will include learners and employees engaging with the Academy. Demand projects are conservative and financially modelled as such to enable an appropriate period for marketing and brand awareness.

Delivery delays – Due to the lead time of the high-technology equipment there is a risk that installation will be delayed. The equipment can only be ordered when the funding is approved therefore we are seeking timely decisions on funding to ensure that technology is installed at an appropriate time.

6.8 Equality & Diversity

The CCEA will have targeted provision for those with learning disabilities. It will also provide work with schools and communities to develop interest from under-represented groups.

6.9 Best Value

The £500,000 investment is central to levering in another circa £1,000,000 capital. All other investment would be sought from the private sector. Working in isolation or with one stakeholder would not deliver these outputs or benefits.

7 Appendices to the Report

None

Previous Consideration

Cannock Chase Engineering Academy	Cabinet	8 November, 2018
Cannock Chase Skills and Innovation Hub Memorandum of Understanding	Cabinet	12 July, 2018
General Fund Revenue Budget and Capital Programme 2017/18 – 2020/21	Council	7 February, 2018
	Cabinet	25 January, 2018

Background Papers

None.