

CANNOCK CHASE COUNCIL

COUNCIL MEETING

WEDNESDAY, 11 APRIL, 2018 AT 4:00 P.M.

COUNCIL CHAMBER, CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

Notice is hereby given of the above mentioned meeting of the Council which you are summoned to attend for the purpose of transacting the business set out below:-

1. Apologies

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

To declare any interests in accordance with the Code of Conduct.

Members should refer to the guidance included as part of this agenda.

3. Minutes

To confirm the Minutes of the Council Meeting held on 21 February, 2018, Minute No's. 68 – 81; Page No's. 52 – 56.

4. The Chairman's Announcements and Correspondence

5. Questions in Accordance with Rule 8

No Questions have been submitted in accordance with Rule 8.

6. Recommendations Referred from Cabinet, Committees etc.

7. Motion(s) Received under Rule 6

The following Motions has been submitted in accordance with Rule 6 by Councillor P.T. Witton, Cannock South Ward:

'This Council is opposed to the continuing benefit freeze on thousands of claimants, and calls for the scrapping of the freeze.

The freeze includes people on sickness payment Employment and Support Allowance, and is another example of the government's intention to cut benefits to the many, in order to give billions away to the super rich.

Inflation is at a five year high, the state pension is going up three percent, and the one percent pay rise cap in the public sector is to be scrapped. But the government has chosen to freeze the majority of benefits for the third year in a row, as part of a cynical bid to slash 3.9 billion a year by 2019/2020.

Apart from pensions, carers allowances and some disability benefits. The vast majority of benefit payments will be worth less, and cause more poverty as prices shoot up!

The benefit freeze is a disgrace, and I move that the Managing Director be instructed to write to the Secretary of State and our local Member of Parliament, calling for the arbitrary freeze to be scrapped and replaced with reasonable increases that are in line with the cost of living.'

8. Comments and Questions on Part 1 Minutes of Cabinet, Committees, Sub-Committees and Panels under Rule 9

To receive any comments or questions submitted under Rule 9 on Part 1 Minutes of meetings of Cabinet, Committees, Sub-Committees or Panels as included in the Minutes Record circulated alongside this agenda.

9. Constitution Amendments

Report of the Monitoring Officer (Item 9.1 – 9.22).

10. Application to Provide Additional Car Parking Spaces at 5's Pavilion, Bradbury Lane, Hednesford, in the Capital Programme

Report of the Head of Environment and Healthy Lifestyles (Item 10.1 – 10.6).

11. Exclusion of the Public

The Chairman to propose the following motion:-

"That the public be excluded for the remainder of the meeting because of the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 of Part 1, Schedule 12A, Local Government Act, 1972."

CANNOCK CHASE COUNCIL

COUNCIL MEETING

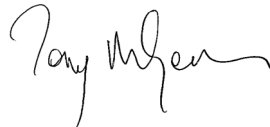
WEDNESDAY, 11 APRIL, 2018 AT 4:00 P.M.

COUNCIL CHAMBER, CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 2

12. Comments and Questions on Part 2 Minutes of Cabinet, Committees, Sub-Committees and Panels under Rule 9

To receive any comments or questions submitted under Rule 9 on Part 2 Minutes of meetings of Cabinet, Committees, Sub-Committees or Panels as included in the Minutes Record circulated alongside this agenda.



T. McGovern,
Managing Director

Civic Centre,
Beecroft Road,
Cannock
WS11 1BG

3 April, 2018

GUIDANCE ON DECLARING PERSONAL, PECUNIARY AND DISCLOSABLE PECUNIARY INTERESTS AT MEETINGS

DEFINITION OF WHAT IS A PERSONAL, PECUNIARY AND DISCLOSABLE PECUNIARY INTEREST

A PERSONAL INTEREST is one where your well-being or financial position, or those of a member of your family or any person with whom you have a close association would be affected to a greater extent than the majority of Council Tax payers, ratepayers, or inhabitants of the electoral ward(s) affected by the decision. You automatically have a personal interest if you have given notice in the Register of Members' Interests, e.g. if you are appointed to an outside body by the Council.

A PECUNIARY INTEREST is a personal interest where the matter

- a) affects your financial position or that of a member of your family or any person with whom you have a close association or a body in which you have registered in the Register of Members Interests or
- b) relates to the determining of any consent, licence, permission or registration in relation to you or any person with whom you have a close association or a body in which you have registered in the Register of Members Interests

and, in either case, where a member of the public knowing the facts would reasonably regard the interest as so significant it is likely to affect your judgement of the public interest

A DISCLOSABLE PECUNIARY INTEREST is an interest of yourself or your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) in respect of employment, office, trade, profession or vocation carried out for profit or gain; sponsorship; contracts; land; licences; corporate tenancies; or securities, as defined with the Localism Act, 2011.

PLEASE MAKE IT CLEAR WHETHER IT IS A PERSONAL, PECUNIARY OR DISCLOSABLE PECUNIARY INTEREST.

It would be helpful if, prior to the commencement of the meeting, Members informed the Monitoring Officer of any declarations of interest, of which you are aware. This will help in the recording of the declarations in the Minutes of the meeting.

DECLARING INTERESTS AT FULL COUNCIL

The Code of Conduct requires that personal interests where you have a personal interest in any business of the Council, and where you are aware or ought reasonably to be aware of the existence of the personal interest, and you attend a meeting of the Council at which the business is considered, you must disclose to that

meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

Some items will be mentioned in the papers for full Council but are not actually being considered by Full Council. In such circumstances the Monitoring Officer's advice to Members is that there is no need to declare an interest unless the particular matter is mentioned or discussed. As a general rule, Members only need to declare an interest at full Council in the following circumstances:

- Where a matter is before the Council for a decision and/or
- Where the matter in which the Member has an interest is specifically mentioned or discussed at the Council meeting.

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE COUNCIL
HELD IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK
AT 4:00 P.M., WEDNESDAY 21 FEBRUARY, 2018
PART 1

PRESENT: Councillors:

Dudson, A. (Chairman)	
Witton, P.T. (Vice-Chairman)	
Adamson, G.	Johnson, J.P.
Alcott, G.	Johnson, T.B.
Allen, F.W.C.	Lea, C.I.
Allt, Mrs. A.	Kraujalis, J.T.
Bennett, C.	Martin, Mrs. C.E.
Bowater, J.L.	Mitchell, Mrs. C.
Cartwright, Mrs. S.M.	Pearson, A.R.
Crabtree, S.K.	Peake, Mrs. C.L.
Davis, Mrs. M.A.	Preece, J.P.T.L.
Foley, D.	Stretton, Mrs. P.Z., M.B.E.
Freeman, Miss M.A.	Sutherland, M.
Grice, Mrs. D.	Sutton, Mrs. H.M.
Grocott, M.R.	Tait, Ms. L.
Hardman, W.T.A.	Todd, Mrs. D.M.
Hoare, M.W.A.	Woodhead, P.E.

68. Apologies

Apologies for absence were submitted on behalf of Councillors M.S. Buttery, Miss J. Cooper, A. Dean, Miss M.J. Dudson, C.D. Smith, D.J. Snape, P.A. Snape and Miss S. Whitehouse.

It was also noted that Councillor Mrs. S.M. Cartwright would be arriving late.

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

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

70. Minutes

RESOLVED:

That the Minutes of the Council meeting held on 7 February, 2018, be approved as a correct record and signed.

71. The Chairman's Announcements and Correspondence

(i) Chairman's Fundraising

The Chairman advised that a collection box was circulating for Members to donate to his fundraising. At the meeting held on 7 February, 2018, a total of £46 was collected, and he thanked all Members for their donations.

72. Questions in Accordance with Rule 8

None received.

73. Changes to Membership of Committees

The Leader notified Council of changes to the Labour Group membership of the Appointments Panel, for approval by Council.

The Deputy Leader of the Opposition notified Council of changes to the Conservative Group membership of the Appointments Panel and the Constitution Working Group, for approval by Council.

(Item 6.1 of the Official Minutes of the Council, an updated copy of which was circulated in advance of the meeting).

RESOLVED:

That the changes to membership of the Appointments Panel and Constitution Working Group, as detailed in the schedule at Item 6.1 of the agenda (as amended) be approved.

74. Recommendations Referred from Cabinet, Committees etc.

Consideration was given to the following recommendations to Council agreed by Cabinet at its meeting held on 25 January, 2018, in respect of:

Revised Local Development Scheme and Local Plan Review (Minute No. 81)

"That Council, at its meeting to be held on 21 February, 2018, be recommended to:

- (A) Cease work on the preparation of Local Plan Part 2.
- (B) Subject to decision (A), trigger the process of undertaking a Local Plan review, which upon adoption will replace the adopted Local Plan Part 1 and will address (amongst other issues) those matters which Part 1 identified as needing to be covered in Local Plan Part 2.
- (C) Approve the revised Local Development Scheme detailed in Appendix 1 of the 25 January, 2018 Cabinet Report, covering the three year period February 2018 to February 2021, so that it can be brought into effect on 21

February, 2018 under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011).”

RESOLVED:

That:

- (A) Work on the preparation of Local Plan Part 2 be ceased.
- (B) The process of undertaking a Local Plan review be triggered, which upon adoption will replace the adopted Local Plan Part 1 and will address (amongst other issues) those matters which Part 1 identified as needing to be covered in Local Plan Part 2.
- (C) The revised Local Development Scheme as detailed in Appendix 1 of the 25 January, 2018 Cabinet Report be approved, covering the three year period February 2018 to February 2021, so that it can be brought into effect on 21 February, 2018 under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011).

75. Motions Received under Rule 6

None received.

76. Comments and Questions on Part 1 Minutes of Cabinet, Committees, Sub-Committees and Panels under Rule 9

None received.

77. Council Tax Resolution 2018-19

Consideration was given to the proposed Council Tax Resolution 2018-19, a copy of which was circulated to Members in advance of the meeting (Item 10.1 – 10.4 of the Official Minutes of the Council).

In accordance with Council Procedure Rule 15(4)(b), a named vote was held.

For

Adamson, G.

Alcott, G.

Allen, F.W.C.

Allt, Mrs. A.

Bennett, C.

Bowater, J.L.

Davis, Mrs. M.A.

Dudson, A.

Foley, D.

Freeman, Miss M.A.

Against

Crabtree, S.K.

Woodhead, P.E.

Abstain

For

Against

Abstain

Grice, Mrs. D.

Grocott, M.R.

Hardman, W.T.A.

Hoare, M.W.A.

Johnson, J.P.

Johnson, T.B.

Kraujalis, J.T.

Lea, C.I.

Martin, Mrs. C.E.

Mitchell, Mrs. C.

Peake, Mrs. C.L.

Pearson, A.R.

Preece, J.P.T.L.

Stretton, Mrs. P.Z.

Sutherland, M.

Sutton, Mrs. H.M.

Tait, Ms. L.

Todd, Mrs. D.M.

Witton, P.T.

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In addition, Councillors M.S. BATTERY, Mrs. S.M. Cartwright, Miss J. Cooper, A. Dean, Miss M.J. Dudson, G.N. Molineux, C.D. Smith, D.J. Snape, P.A. Snape and Miss S. Whitehouse were absent from the meeting.

RESOLVED:

That the Council Tax Resolution 2018-19, as detailed in Item 10.1 – 10.4 of the Official Minutes of the Council (and attached as an Appendix to these Minutes), be approved.

78. Calendar of Meetings 2018-19

Consideration was given to the Report of the Managing Director (Item 11.1 – 11.11 of the Official Minutes of the Council).

RESOLVED:

That:

(A) The Calendar of Meetings 2018-19, included as Appendix 1 to the Report,

be approved.

- (B) The Managing Director, in consultation with the Chairman of the Council, the relevant Chairmen of Committees and / or Leader of the Council, as appropriate, be authorised to amend the Calendar of Meetings, through convening additional meetings, or the postponement or cancellation of meetings, if required.

79. Customer Feedback and Complaints Policy

Consideration was given to the Report of the Managing Director (Item 12.1 – 12.18 of the Official Minutes of the Council).

RESOLVED:

That the Customer Feedback and Complaints Policy, as set out in Appendix 1 of the Report, be approved and formally adopted as Council policy.

80. Localism Act 2011 – Pay Policy Statement 2018-19

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

RESOLVED:

That:

- (A) The Pay Policy Statement 2018-19 as set out in Appendix A of the Report be approved.
- (B) The Pay Policy Statement be published on the Council's website.

(Councillor Mrs. S.M. Cartwright arrived at the meeting during the consideration of this item).

81. Comments and Questions on Part 2 Minutes of Cabinet, Committees, Sub-Committees and Panels under Rule 9

None received.

The meeting closed at 4:25 p.m.

CHAIRMAN

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Report of:	Monitoring Officer
Contact Officer:	Matt Berry
Telephone No:	01543 464 589
Portfolio Leader:	Leader of the Council
Key Decision:	No
Report Track:	Council: 11/04/18

COUNCIL
11 APRIL 2018
CONSTITUTION AMENDMENTS

1 Purpose of Report

- 1.1 To present to Council for consideration proposed amendments to the Constitution.

2 Recommendation

- 2.1 That the proposed amendments to the Constitution as detailed in Appendix 1 be approved.

3 Key Issues and Reasons for Recommendation

- 3.1 The current version of the Constitution was approved by Council on 12 August, 2015, and came into effect on 1 September, 2015.
- 3.2 Under Section 12 of the Constitution (Review and Revision of the Constitution), the Monitoring Officer, in conjunction with the Constitution Working Group, is required to monitor and review the Constitution on an annual basis.
- 3.3 The Constitution Working Group met on 26 February and 6 March, 2018 to undertake its latest review and considered a number of amendments for approval by Council which are outlined in paragraph 5.2 of this report.

4 Relationship to Corporate Priorities

- 4.1 The Constitution provides for the proper governance of the Council and cuts across all priorities.

5 Report Detail

- 5.1 The process for reviewing the Constitution on an annual basis was adopted as part of the review of the Constitution undertaken in 2015 to ensure that it would remain up to date and allow for amendments to be made in a timely manner if the need was identified during the year.
- 5.2 The latest review undertaken by the Monitoring Officer in conjunction with the Constitution Working Group considered a number of amendments to the Constitution, the reasons for which are set out below, and the amendments are shown as tracked changes in Appendix 1. Two new sections are proposed for inclusion and these are attached at Appendices 2 and 3.

Part/Section Amended	Reasons for Amendments
Part 2, Section 9 (Officers) Part 3, Section 26 (Scheme of Delegations)	To reflect change in job title of Head of Economic Development to 'Head of Economic Prosperity'
Part 2, Section 5 (The Chairman of the Council)	To clarify that the Chairman undertakes general fund raising activities and does not hold a 'charity bank account' (this would require Charity Commission registration). To remove reference to the Chairman's 'Charity Ball' and update the wording to reflect that the Chairman can host a variety of Civic events during his/her year in office.
Part 3, Section 21 (Audit & Governance Committee Terms of Reference)	To insert required wording into the list of the Committee's functions following recommendations in the Annual Review of Internal Audit approved by the Committee in June 2017.
Part 3, Section 26 (Scheme of Delegations)	To ensure the delegations to Planning Control Committee are consistent with the delegations referenced in the Planning Decision Making Protocol.
Part 3, Section 27 (Council Procedure Rules)	To clarify the order of business to be followed if an extraordinary meeting of Council is called, and to extend the list of who can call such a meeting to include the Managing Director and Chief Finance Officer.

Part/Section Amended	Reasons for Amendments
Part 4, Section 33 (Procurement Regulations)	To include reference to the correct job title of 'Chief Internal Auditor and Risk Manager' following deletion of the Risk & Resilience Manager post in 2017.
New Sections	Reasons for Inclusion
Part 2, Section 4a (Honorary Titles)	To provide clarity on what honorary titles can be awarded by the Council in accordance with legislation and the requirements for how the awards are given.
Part 5, Section 41 (Protocol for Conferring Honorary Titles)	To provide clarity for nominees and recipients of honorary titles on the criteria and process to be followed in conferring such titles.

- 5.3 Amendments to the Scheme of Delegations approved by Cabinet on 16 November and 14 December, 2017 in respect of the Brownfield Land Register, Neighbourhood Planning and Supplementary Planning Documents will also be included as part of this update.
- 5.4 The new sections in respect of honorary titles will take effect immediately in case any nominations are made before the end of the current municipal year. All amendments proposed to existing sections will take effect from 23 May, 2018 to coincide with the start of the new municipal year.

6 Implications

6.1 Financial

None.

6.2 Legal

Keeping the Constitution under regular review ensures that it complies with any relevant legal requirements currently in force.

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 and Diversity

None.

6.9 Best Value

None.

7 Appendices to the Report

Appendix 1: Tracked changes amendments to the Constitution.

Appendix 2: New Part 2, Section 4a – Honorary Titles.

Appendix 3: New Part 5, Section 41 – Protocol for Conferring Honorary Titles.

Previous Consideration

None.

Background Papers

Notes of the meetings of the Constitution Working Group.

Constitution of the Council:

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Section 5

The Chairman of the Council

5.1 ROLE AND FUNCTION OF THE CHAIRMAN

The Chairman and Vice-Chairman will be elected at the Annual Meeting of the Council. The Chairman and Vice-Chairman may not be members of the Executive.

The Chairman of the Council and, in his/her absence, the Vice-Chairman, will have the following roles and functions:

- (a) the Chairman of the Council is the civic head of the Council and will represent the Council at such civic and ceremonial functions as the Council and he/she determine appropriate and will also act as the Council's ambassador within and outside the District;
- (b) to preside over meetings of the Council so that its business can be carried out efficiently and effectively having regard to the rights of Councillors and the interests of the community;
- (c) to ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which Members determine strategic objectives, policies and programmes to be followed;
- (d) to promote public involvement in the Council's activities;
- (e) to maintain the dignity of the office and at no time bring discredit to it or the Council;
- (f) to be available for consultation on any matter upon which consultation with the Chairman of the Council is required under this Constitution.

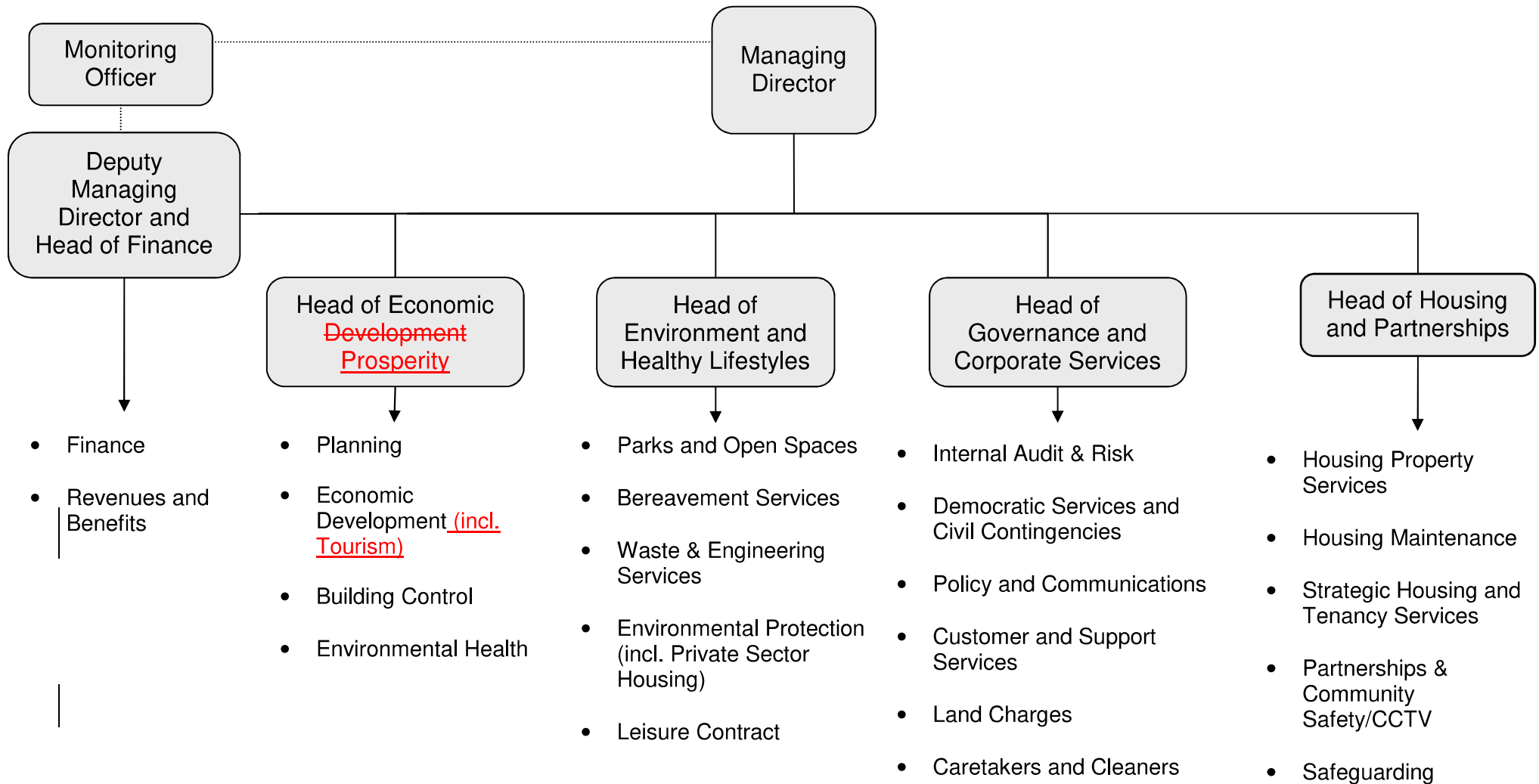
5.2 CHAIRMAN'S FUNDRAISING CHARITY & BALL

- (i) The Chairman may organise, engage in or otherwise be involved in events for the purposes of fund raising for their chosen charities as determined at the start of the municipal year.the Chairman's Charity Fund;
- (ii) The Managing Director shall, in consultation with the Chairman of the Council, determine the distribution of the Chairman's fundraising and all matters including events, town twinning arrangements and monies raised throughout the year.Charity Fund;

- ~~(iii) The Managing Director shall, in consultation with the Chairman of the Council, consider and determine all matters relevant to the Chairman's Charity Ball event(s);~~
- ~~(iv) The Managing Director shall, in consultation with the Chairman of the Council, consider and determine all matters relevant to the Council's Town Twinning arrangements;~~

PART 2, SECTION 9 – OFFICERS (MANAGEMENT STRUCTURE)

EFFECTIVE FROM 1 MAY, 2018



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PART 3, SECTION 21 – AUDIT & GOVERNANCE COMMITTEE**21.8 CORE FUNCTIONS**Audit Activity

- Approve internal audit's strategy and audit plan;
- Approve the Audit Charter and the Quality Assurance & Improvement Programme;
- Consider reports dealing with the management and performance of Internal Audit;
- Consider the level of assurance Internal Audit can give over the Council's corporate governance arrangements;
- Consider periodic reports from Internal Audit on the main issues arising from their work and "fundamental" recommendations not implemented within a reasonable timescale, and seek assurance that action has been taken where necessary;
- Consider the reports of the External Auditor and monitor the implementation of any recommendations made.

Regulatory Framework

- Consider the internal control environment and the level of assurance that may be given as to its effectiveness, to include approval of the Annual Governance Statement;
- Satisfy itself that the authority's assurance statements, including the Annual Governance Statement, properly reflect the risk environment and any actions required to improve it;
- Monitor the effectiveness of the authority's risk management arrangements, including the actions taken to manage risks and to receive regular reports on risk management;
- Monitor the effective development and operation of the corporate governance framework in the Council and to recommend to the Cabinet or the Council, as appropriate, the actions necessary to ensure compliance with best practice;

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PART 3, SECTION 26 – SCHEME OF DELEGATIONS

- 26.4.17 To apply for a warrant to enter premises where the legislation listed in Annex 5 of this Section so permits.
- 26.4.18 To issue and enforce fixed penalty notices where the legislation listed in Annex 5 of this Section so permits

Transportation

- 26.4.19 To hold, or to appoint a suitably qualified officer, on behalf of the Council the Heavy Goods Vehicle Operators Licence (O Licence) and to maintain the schedule of vehicles covered by the O Licence.
- 26.4.20 To undertake and implement all necessary measures necessary to comply with all relevant and associated legislation governing the O Licence.

26.5 HEAD OF ECONOMIC PROSPERITY DEVELOPMENT

- 26.5.1 Subject to all Council policy (where applicable), to exercise all regulatory powers, including issuing licences, permits, notices and warrants, making inspections, maintaining registers, and discharging all obligations, duties and responsibilities contained within legislation listed in Annex 4 to this Section.
- 26.5.2 To issue and administer formal cautions, prepare and issue notices and, in consultation with the Legal Service, authorise prosecutions in respect of all matters falling within the service areas within their management control or within any of the legislation listed in Annex 4 to this Section.
- 26.5.3 To apply for a warrant to enter premises where the legislation listed in Annex 4 of this Section so permits.
- 26.5.4 To issue and enforce fixed penalty notices where the legislation listed in Annex 4 of this Section so permits.
- 26.5.5 To update, amend or vary Annexes 4 and 5 of this Section as required to ensure all relevant and necessary statutes (and associated legislation) relating to the service areas under their management control is listed.

Property

- 26.5.6 To undertake all relevant property management activities including management of the Council's retail markets; the acquisition and disposal of interests in land and premises; management of property; rent reviews; lease renewal terms; accepting the surrender of leases (in consultation with the Legal service); granting licences; granting and terminating licences for market stalls; consents for assignments; variations to user clauses; proceedings for forfeiture; marketing; acquiring consents; granting wayleaves and easements; dealing with emergencies; appointing advisors; establishing and maintaining a property terrier; submitting planning and other applications.
- 26.5.7 To appoint a suitably qualified Officer(s) or agent(s) (where applicable and permitted):

26.5.18 Represent the Council in appeals, inquiries, and hearings, or instruct an appropriately qualified person to do so.

26.5.19 The following matters shall be reported to the Planning Control Committee for determination:-

(a) All Planning Applications which in the reasonable opinion and judgement of the Officer(s) duly authorised by the Managing Director to determine planning applications (the Authorised Officer(s)) should be approved despite not fully complying with applicable Council policies, shall be reported to the Planning Control Committee for determination (whether or not any objections are received).

(b) All Planning Applications which in the reasonable opinion of the Officer(s) duly authorised by the Managing Director to determine planning applications (the Authorised Officer(s)):-

(i) Is a major application which although complying with all policy requirements generates/leads to significant public opposition;

(ii) Has been made by a serving Member of the Council or an employee of the Council;

(iii) Is a major application and has been made by or on behalf of the Council;

(iv) Relates to a telecommunications development which involve the erection or installation of new masts to which there has been recorded public opposition and are not proposed to be refused by officers; and/or

(v) Results in a request being received from an objector or the applicant seeking to address the Planning Control Committee in connection with the determination of the Planning Application.

~~(v)~~(vi) When a Parish/Town Council has objected to an Application which Officers are not intending to refuse under delegated powers.

(c) All Planning Applications where a Member of the Council has made a formal written request (using the necessary referral form available from the Council's Planning Section), which must:

(i) set out the specific reasons for why the request is being made for the Planning Application to be referred to the Planning Control Committee for determination; and

(ii) be received by the Council's Planning Section within the initial 21 day consultation period.

(d) All formal enforcement actions under the Town & Country Planning Acts, or decisions to make Tree Preservation Orders (TPO) and there is an unresolved objection to the proposed TPO or an unresolved complaint

about the planning enforcement matter where officers are not recommending formal enforcement action.

26.5.20 To make ~~non-substantive amendments to adopted Supplementary Planning Documents (SPDs)~~ ~~any further minor amendments to the Design Supplementary Planning Document (SPD)~~, in consultation with the Economic Development and Planning Portfolio Leader.

26.5.21 To approve the publication of future Cannock Chase Authority Monitoring Reports (AMRs), including minor revisions to the format and content of the AMR as required, in consultation with the Economic Development and Planning Portfolio Leader.

26.5.22 In consultation with the Economic Development & Planning Portfolio Leader, to approve any consultations related to the Brownfield Land Register and the Publication of future versions of the Council's Part 1 Brownfield Land Register until such time as a Part 2 Register is produced.

~~26.5.21~~26.5.23 The taking of all steps in the preparation of a Neighbourhood Plan by the Council, except for the final making (adoption) of a Neighbourhood Plan, which is a matter reserved for full Council for determination.

Building Control

~~26.5.22~~26.5.24 To determine all matters concerning the provision of building regulations activities including plans vetting, site inspections, enforcement of the building regulations, relaxation of building regulations, dangerous structures and ruinous and dilapidated buildings and neglected sites, demolition notifications and notifications under the Building (Approved Inspector) Regulations.

~~26.5.23~~26.5.25 To obtain information and entry to land using provisions under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 and Section 95 and 96 of the Building Act 1984, in relation to the service of statutory notices under the Building Act.

~~26.5.24~~26.5.26 To exercise powers under the Party Walls etc. Act 1996 to act as Appointing Officer in appointing a Third Surveyor if called upon to do so.

~~26.5.25~~26.5.27 To determine the level of charges in accordance with The Building (Local Authority Charges) Regulations 2010.

~~26.5.26~~26.5.28 To sign and serve notices under the following sections of the Building Act 1984:

- (a) Section 32 - Lapse of deposit of plans;
- (b) Section 36 (removal or alteration of +offending work);
- (c) Section 73 (raising of chimney);
- (d) Section 77 and 78 (dangerous building);

Annex 2

Designation of Proper Officers and Authorised Officers

Details of Proper Officers and Authorised Officers are set out below:

A. MANAGING DIRECTOR

1. The Managing Director is designated as the 'Proper Officer' for the carrying out of specified actions or performance of certain specified duties on behalf of the Council:
 - (a) Electoral Registration Officer for the Council.
 - (b) Returning Officer at Parish and District elections, Local Polls and Referendums.
 - (c) Returning Officer, Acting Returning Officer and Deputy Acting Returning Officers in connection with General Elections, European Elections, County Elections and National Referenda.
 - (d) Accepting Declarations of Acceptance of Office from elected Members within 2 months of the day of election.
 - (e) Summonses to attend meetings of the Council.
 - (f) In respect of the provisions of the Health and Safety at Work etc. Act 1974 for the Council's operation.

B. HEAD OF ENVIRONMENT AND HEALTHY LIFESTYLES

1. The Head of Environment and Healthy Lifestyles is designated as the 'Proper Officer' for the carrying out of specified actions or performance of certain specified duties on behalf of the Council.
 - (a) In respect of the Council's role as Burial Authority.

C. HEAD OF ECONOMIC ~~PROSPERITY~~ DEVELOPMENT

1. The Head of Economic Development is designated as the 'Proper Officer' for the carrying out of specified actions or performance of certain specified duties on behalf of the Council.
 - (a) For the signing of notices under Section 78 of the Building Act 1984.

Annex 4 Legislation – Economic

Prosperity~~Development~~

Planning:

- Housing and Planning Act 2016
- Parts II, III, IV, V, VII, VIII, ss257-260, of the Town and Country Planning Act 1990
- Town and Country Planning (Development Management Procedure) (England) Order 2010
- Planning (Listed Buildings and Conservation Areas) Act 1990
- Planning and Compensation Act 1991
- Planning Act 2008
- Town and Country Planning (Control of Advertisements) (England) Regulations 2007
- Town and Country Planning (General Permitted Development Order) 1995 (1995/418)
- Town and Country Planning (General Permitted Development) (England) Order (2015/596)
- Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999
- Hedgerow Regulations 1997
- Town and Country Planning (Trees) Regulations 1999

Building Control:

- Building Act 1984
- The Building Regulations 2010
- Building (Approved Inspector etc) Regulations 2010

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Section 27

Council Procedure Rules

1. MEETINGS OF THE COUNCIL

- (1) The annual meeting of the Council must be held as provided by the Local Government Act 1972 on a date and at a time fixed by the Council.
- (2) Other meetings of the Council shall be held at such other days as the Council may fix.
- (3) An extraordinary meeting of the Council may be called at any time by the Chairman, Managing Director, Chief Finance Officer or the Monitoring Officer.
- (4) An extraordinary meeting of the Council may also be called provided that at least 5 Members have signed a requisition to that effect and have passed that to the Chairman of the Council. If, at the expiry of 5 clear working days from the receipt of the request the Chairman fails to call the requested extraordinary meeting within 10 clear working days then any 5 Members (which can be the same Members as made the initial request) may call an extraordinary meeting of the Council to which the Proper Officer shall so arrange.
- (5) The date, time and place of meetings will be determined by the Proper Officer.
- (6) The Proper Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules and current regulations. The Proper Officer will send a summons by post or electronic means to every member of the Council or leave it at their usual place of residence. The summons will give the date, time and place of each meeting and specify the business to be transacted and will be accompanied by such reports as are available.

2. CHAIRMAN AND VICE-CHAIRMAN OF THE COUNCIL

- (1) The election of the Chairman of the Council shall be the first business to be transacted at the annual meeting of the Council.
- (2) The Council shall at the annual meeting appoint, by election, a Vice-Chairman.
- (3) The Chairman of the Council or if he is absent, the Vice-Chairman preside. If the Chairman and Vice-Chairman are absent a Member who is not a Member of the Executive, shall be appointed, by election, by those present to preside.

- (d) To receive any announcements from the Chairman and/or Head of the paid service;
- (e) In the event of the Leader being removed following a vote of 'no confidence' or a change in administration, to elect a Leader of the Council;
- (f) In the event of any change to the composition of the Cabinet (including the Leader), to receive notification from the Leader of the Council of the number and identity of Cabinet Members and their Portfolios;
- (g) In the event of a change in the leader of the Opposition, to receive the acceptance of office from the Leader of the Opposition;
- (h) In the event of any change to the composition of the Shadow Cabinet (including the Leader of the Opposition), to receive notification from the Leader of the Opposition of the number and identity of the Shadow Cabinet Members and their Portfolios;
- (i) In the event of any change in the Chair or Vice-Chair of a Committee, to appoint the Chair and Vice-Chair to such Committee.
- (j) In the event of any change in named membership of a Committee by a Group Leader, to appoint the newly named Member(s).
- (k) To dispose of business (if any) remaining from the last meeting;
- (l) To answer questions asked under Rule 8;
- (m) To consider reports and recommendations of the Cabinet, Committees and Panels;
- (n) To consider motions under Rule 6 in the order in which notice has been received;
- (o) To deal with comments and questions under Rule 9;
- (p) To consider other business, if any specified in the summons.
- (q) The order of business may be changed, insofar as it is statutorily possible, at the discretion of the Chairman or by motion passed without discussion. The motion need not be in writing.

4C. ORDER OF BUSINESS – EXTRAORDINARY MEETINGS

- (a) To choose the person to preside if the Chairman and Vice-Chairman are absent;
- (b) To consider the business specified in the summons for which the extraordinary meeting was called.

PART 4, SECTION 33 – PROCUREMENT REGULATIONS

Insurance Requirements

- 7.17 Insurance conditions must be contained in the tender specification and the conditions of contract. The type and level of insurance cover must be discussed and agreed with the ~~Chief Internal Auditor & Risk Manager Risk & Resilience Manager~~.
- 7.18 The insurance limits advised will relate to each claim. For public liability and employers' liability, the cover must be in place throughout the period covered by the contract. For professional indemnity, the conditions are more complicated. Not only must the cover be in place throughout the period covered by the contract but also for another six years after the end of the contract (or 12 years if the contract is under seal). For certain types of services, for example, financial advice, the amount of professional indemnity insurance cover will need to be higher to protect us in case anyone gives inappropriate advice.

Advertising

- 7.19 As a minimum you must advertise the goods, services or works required on the Council's website and on Contracts Finder. You should also consider whether it is appropriate to advertise the tender in an appropriate trade/professional journal or a local newspaper.
- 7.20 For all tenders over the OJEU threshold you will also be required to place a notice in the European public procurement journal **Tenders Electronic Daily (TED)**.

Issuing and return of tenders

- 7.21 You should always aim to use electronic procurement (or e-procurement) systems rather than paper systems. All tenders should be sent out and returned electronically via an approved e-tendering system where possible.
- 7.22 All tenderers should be informed that the Council will not accept or consider tenders sent in by fax or email.
- 7.23 The procuring officer must send to every person who wants to give us a tender any documents which meet the requirements of regulations 7.15 and/or 7.16. This includes a returnable tender form or other document which tells each company wanting to tender to:
- include their offer price (or prices) for the goods, work, services or utilities;
 - include their signature or seal;
 - return the filled-in tender form by a certain date and time by the method stated in the tender documents.

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Section 4a

Honorary Titles

4a. HONORARY TITLES

- 4a.1 Under Section 249 of the Local Government Act 1972, the Council has the power to confer the titles of:
- Honorary Alderman/Alderwoman on persons who have rendered eminent services to the Council as past Members of the Council, but who are not then Members of the Council;
 - Freedom of the District to persons of distinction, and, in the opinion of the Council, have rendered eminent services to the District; and
 - Freedom of Entry to current serving uniformed organisations which have rendered conspicuous service and are associated with the District.
- 4a.2 These titles can only be conferred by resolution passed by not less than two-thirds of the Members voting at a meeting specially convened for such purpose.
- 4a.3 No Honorary Alderman/Alderwoman shall, while serving as a Member of the Council, be entitled to be addressed as Alderman/Alderwoman, or to attend or take part in any civic ceremonies of the Council as an Alderman/Alderwoman.
- 4a.4 An Honorary Alderman/Alderwoman may attend and take part in such civic ceremonies as the Council may from time to time decide, but shall not, as such, have the right –
- (a) to attend meetings of the Council or a Committee of the Council; or
 - (b) to receive any allowances or other payments
- 4a.5 The Council may spend such reasonable sums as it thinks fit for the purpose of presenting an address or casket containing an address, to a person or organisation on whom they have conferred the title of Honorary Alderman/Alderwoman, Freedom of the District or Freedom of Entry.
- 4a.6 Freedom of Entry grants military organisations the freedom to march through the streets of the District with Colours flying, drums beating and bayonets fixed.
- 4a.7 Awarding the title of Freedom of the District or Freedom of Entry does not confer any rights or responsibilities on that individual or organisation.
- 4a.8 The criteria and process to be followed for conferring honorary titles is set out in Part 5, Section 41 of the Constitution.

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Section 41

Protocol for Conferring Honorary Titles

1. HONORARY ALDERMEN / ALDERWOMEN

Criteria for Conferment

- 1.1 The title of Honorary Alderman / Alderwoman is to only be awarded following retirement of a Councillor, either by choice or at the will of the electorate.
- 1.2 To be considered for the title of Honorary Alderman / Alderwoman, a retired Councillor must have served at least twelve years (three terms in office) on Cannock Chase District Council (though the terms do not need to be consecutive) and be considered to have rendered eminent services to the District.

Process for Conferment

- 1.3 Nominations for this award must be made in writing to the Managing Director and should be received no later than two weeks prior to the Council's Annual General Meeting (AGM) in May.
- 1.4 Consideration to confer the title of Honorary Alderman / Alderwoman on retired Councillors will only be determined once per year, at a special meeting of the Council to be convened at 3 p.m. on the day of the Council's AGM in May (where necessary).
- 1.5 Nominations must be made by a serving Councillor on Cannock Chase District Council.
- 1.6 Following approval to confer the title, an address confirming the title of Honorary Alderman / Alderwoman will be presented by the Chairman of the Council at a subsequent meeting of the Council.
- 1.7 Names of Honorary Aldermen / Alderwomen will be inscribed on an Honours Board located in the Civic Suite.

2. FREEDOM OF THE DISTRICT / FREEDOM OF ENTRY

Criteria for Conferment

- 2.1 The person nominated to receive Freedom of the District would normally be resident in the District and should not be an existing Member of the Council.
- 2.2 Service to the community should be evidenced, and not merely, for example, just service to the Council.

- 2.3 There should be some personal sacrifice of time and energy generally involved beyond mere association with a particular service or employment.
- 2.4 There should be some personal or official connection with the District, or they should have rendered eminent services in connection with the District or from which the District has benefited to a greater extent than other boroughs or districts.
- 2.5 The uniformed organisation nominated to receive the Freedom of Entry should be connected with the District either through being based in the District or having a large number of recruits from the District.

Process for Conferment

- 2.6 Nominations to award the titles of Freedom of the District / Freedom on Entry must be made in writing to the Managing Director. Nominations can be submitted at any time during the year, provided that the Member making the nomination is confident that the relevant criteria have been met. It is however expected that no more than one such award would be granted in any one municipal year.
- 2.7 The nominee shall need to be approached prior to the consideration of a nomination by Council, in order to confirm their acceptance.
- 2.8 It is usual practice that the report recommending that Freedom of the District / Freedom of Entry be awarded is inclusive of a citation, together with a proposed resolution, should Council determine that the award be bestowed.
- 2.9 A velum scroll which is hand decorated, inscribed with the transcription and then sealed with the Council's Seal and freedom casket is commissioned for presentation to the individual or uniformed organisation by the Chairman on behalf of the Council.
- 2.10 Names of those persons / uniformed organisations awarded the title of Freedom of the District / Freedom of Entry will be inscribed on an Honours Board located in the Civic Suite.

Report of:	Head of Environment and Healthy Lifestyles
Contact Officer:	Mike Edmonds
Telephone No:	01543 464482
Portfolio Leaders:	Culture and Sport and Environment
Key Decision:	No
Report Track:	Council: 11/04/18

COUNCIL

11 APRIL 2018

APPLICATION TO PROVIDE ADDITIONAL CAR PARKING SPACES AT 5's PAVILION, BRADBURY LANE, HEDNESFORD, IN THE CAPITAL PROGRAMME**1 Purpose of Report**

- 1.1 To update Council on the success of the new 5's facility at Bradbury Lane, Hednesford during the first year of operation and of the requirement to provide additional overflow car parking spaces on site in order to accommodate the number of vehicles using the facility at certain peak times.
- 1.2 To seek Council approval to include the project in the Capital Programme, authorise the scheme and grant permission to spend in relation to the proposed scheme.

2 Recommendations

That Council:

- 2.1 Note the success of the facility as set out in the report and the contribution of £5,000 from Inspiring Healthy Lifestyles (IHL) towards the proposed scheme and include this amount in the Capital Programme.
- 2.2 Note the formal request made to Staffordshire County Council for a matched contribution of £40,000 towards the proposed scheme and subject to confirmation, to include this amount in the Capital Programme.
- 2.3 Approve the scheme; include £40,000 in respect of the District Council's contribution in the Capital Programme,
- 2.4 Grant permission to spend, subject to sufficient funding, in order to deliver the proposed project.

- 2.5 Delegate authority to the Head of Environment and Healthy Lifestyles in consultation with the Culture and Sport Portfolio Leader to enter into the required arrangements with partners to secure the funding towards the proposed scheme and to take such actions as may be necessary to progress the above recommendations within the approved budget.

3 Key Issues and Reasons for Recommendation

- 3.1 Due to the success of the facility at 5's Pavilion Bradbury Lane it is necessary to provide additional overflow car parking spaces on site to accommodate the number of vehicles using the facility at certain peak times.
- 3.2 The facility opened in March 2017 and since then the District Council has been working closely with the operator, Inspiring Healthy Lifestyles (IHL), to monitor the usage and parking situation in order to identify the peak periods and to then consider and explore alternative viable solutions/options to alleviate any traffic issues.
- 3.3 On average the facility is booked 70% each week with 84 clubs and teams regularly using the facility. Over 100 children and young people attend the weekly "Kids for Quid" session and through monitoring of the site the busy days and times are:

Monday	5.30pm – 9.30pm
Tuesday	6pm – 9pm
Wednesday	6pm – 9pm
Saturday	Saturday 9am – 3pm (during football season) (Mid-August - May)
Sunday	Sunday 9am – 1pm (during football season) (Mid-August - May) and 5pm – 8pm

- 3.4 During these busy times the car parking provision on site has proved to be insufficient and consequently has resulted in users of the facility parking on the grass verge fronting the facility and in neighbouring roads and streets.
- 3.5 In the short term and wherever possible, IHL have been managing the busy cross over periods between games in order to minimise any parking issues. They have also let teams know when they book to park politely and sensitively and not to park on the verge or in neighbouring roads and streets but to use the small public car park 200 - 300 meters away.
- 3.6 During the busy periods IHL have also put on additional security staff on the gate in an attempt to control parking and also placed cones strategically to prevent inconsiderate parking where possible. They have also met with the League providers and written to clubs to encourage them to car share. IHL

have also met with the with the Town Council to assist by using their car park at certain busy periods but unfortunately this has not proved possible.

- 3.7 However, despite this action, the disruption to local residents resulted in a public meeting being held at Pye Green Community Centre on 8 March 2018 with all partners from the District Council, County Council (Highways) and the Police in attendance.
- 3.8 A number of short term actions were agreed including writing to the clubs and users again reminding them to park considerately and appropriately, appointing additional security staff during busy periods, placing cones more strategically, placing warning notices in changing rooms and around the site. In addition, it was agreed that the Council would look at alternative temporary overspill parking areas and the Police would randomly visit the site tackle inappropriate parking. The County Council agreed to review parking arrangements in neighbouring streets and junctions and to consider providing contributory funding towards providing a long term solution.
- 3.9 The obvious long term solution would be to convert the intended grass football pitch area on site to an overflow car park. A drop kerb is already in place to allow vehicle access to this area. IHL and the Council have obtained some estimates for undertaking this work ranging from £30k to £70k (excluding Architects Fees and Contingency). This option will require a scheme to be drawn up by an architect, fully costed by a Quantity Surveyor and planning permission granted before it can be implemented. This scheme is estimated to cost £85,000 in total.
- 3.10 Inspiring Healthy Lifestyles have agreed to contribute £5,000 towards this project and the Council has formally requested Staffordshire County Council on 23 March 2018 to consider providing match funding with the District Council amounting to £40,000 each in order to ensure that a long term solution is provided for local residents.
- 3.11 It is clear that it will be extremely difficult for the District Council to provide a long term solution without Staffordshire County Council's contribution. It is therefore necessary for Council to include £45,000 in the Capital programme (excluding Staffordshire County Council's matched funding), authorise scheme approval and grant permission to spend, subject to sufficient funding, in relation to this scheme.

4 Relationship to Corporate Priorities

- 4.1 Councils have a major role in contributing to the promotion and delivery of increased participation in sport, recreation and physical activity. The provision of first class sports and recreation facilities that are sustainable and meet the needs of the community can assist in meeting this role.

5 Report Detail**Background**

- 5.1 During 2013, a Joint Investment Programme was agreed between Cannock Chase Council and Staffordshire County Council totalling £3m; £1m of which was prioritised for the construction of a full size AGP for the Hednesford area.
- 5.2 On 24 February 2015 the Council received notification that it had been successful with its full application bid for National Lottery Funding from Sport England, amounting to £390,039 to support delivery of this project at Bradbury Lane.
- 5.3 The project, which was completed and opened on 1 March 2017, brought a disused site back into constructive use for sport and active recreation. It established new, modern and accessible community facilities (indoor and outdoor) that offer a range of activities aimed at engaging with and attracting all age groups in the community.
- 5.4 The success of the facility which is well supported by the local community and clubs has meant that it is necessary to provide additional overflow car parking spaces on site to accommodate the number of vehicles using the facility at certain peak times.

Project Outline and Project Cost Estimate

- 5.5 This project proposes to address the current parking and traffic issues by providing an overflow car park on the intended junior grass pitch, subject to Sport England and other statutory consultees' agreement. A drop kerb is already in place to allow vehicle access to this area. IHL and the Council have obtained some estimates for undertaking this work with quotations ranging from £30k to £70k (excluding Architects Fees and Contingency). This option will require a final scheme to be drawn up by an architect, fully costed by a Quantity Surveyor and a planning application submitted and permission granted before it can be implemented. This scheme is estimated to cost £85,000 in total.

Project Funding

- 5.6 As identified in Paragraph 5.1 the initial project was funded primarily by the Joint Investment Fund agreed between Cannock Chase District Council and Staffordshire County Council. Consequently, it is appropriate that this proposed solution to resolve the local residents parking and traffic issues is also funded jointly.
- 5.7 Inspiring Healthy Lifestyles have agreed to contribute £5,000 towards this project and the Council has formally requested Staffordshire County Council on 23 March 2018 to consider providing match funding with the District Council amounting to £40,000 each in order to ensure that a long term solution is provided for local residents.

- 5.8 It is clear that it will be extremely difficult for the District Council to provide a long term solution without Staffordshire County Council's contribution. It is therefore necessary for Council to include £45,000 in the Capital programme (excluding Staffordshire County Council's matched funding), authorise scheme approval and grant permission to spend, subject to sufficient funding, in relation to this scheme.

6 Implications

6.1 Financial

No provision exists within the current Capital Programme for the scheme.

As stated in paragraph 5.5 the potential estimated cost of the scheme is £85,000. Inspiring Healthy Lifestyles have agreed to contribute £5,000 towards this project and Staffordshire County Council have been formally requested to provide match funding with the District Council of £40,000 to ensure that a long term solution is provided for local residents.

The Council approved its 2018-19 to 2020-21 Capital Programme at its meeting on the 7 February 2018. Uncommitted resources as at 31 March 2021, based upon forecast capital receipts amount to amount to £571,000, however the asset management expenditure requirement awaits the outcome of the Condition surveys being undertaken.

6.2 Legal

None.

6.3 Human Resources

None.

6.4 Section 17 (Crime Prevention)

This proposed enhancement to this facility will alleviate the car parking and traffic issues currently being experienced at the site and will continue to provide positive diversionary activities that will contribute to the community safety agenda.

6.5 Human Rights Act

None.

6.6 Data Protection

None.

6.7 Risk Management

There is a risk around potential challenges from Sport England and other statutory consultees to the proposals through the planning process. There is a risk to the delivery of the scheme should Staffordshire County Council not confirm any matched funding contribution. There is also a risk around the actual construction costs in relation to the estimates, although contingency figures have been built into the estimates provided. In such a case elements of the project may have to be reviewed to keep within the existing budget.

6.8 Equality & Diversity

None.

6.9 Best Value

Best value will be sought for the delivery of the project through effective and appropriate procurement processes and through securing joint contributions from partners, where possible, to resolve this joint problem.

7 Appendices to the Report

None

Previous Consideration

None

Background Papers

None