Cannock Chase Council

Council Meeting

Wednesday 30 September 2026 at 6:00pm

In the Council Chamber, Civic Centre, 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 as 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 as included as part of this agenda.

3. Minutes

To approve the Minutes of the meeting held on 8 July 2026 (enclosed).

4. Chair's Announcements and Correspondence

To receive any announcements and correspondence from the Chair of the Council.

5. Leader's Announcements and Correspondence

To receive any announcements and correspondence from the Leader of the Council.

6. Recommendations Referred from Cabinet

Council is requested to consider recommendations from the Cabinet meeting held on 20 August 2026 in respect of the following matters:

(i) Outturn 2025/26 (Cabinet Minute Number 36, 20/08/26)

"That Council, at its meeting to be held on 30 September 2026, be recommended to include in the capital programme the allocation of £800k contribution to reserves (see report paragraph 3.4) for the resurfacing of Beecroft Road car park."

(ii) Redevelopment of Cotswold Road Play Area (Cabinet Minute Number 43, 20/08/26)

"That Council, at its meeting to be held on 30 September 2026, be recommended to include £143,520 into the 2026/27 capital programme, made up of £143,520 of Cannock Chase Council S106 funds.

The accompanying reports for the above recommendations can be viewed on the 20 August 2026 Cabinet meeting page on the Council's website.

7. National Scheme of Planning Delegations

Report of the Head of Law and Governance (Item 7.1 – 7.27).

8. Motion Received Under Council Procedure Rule 6

To consider the following Motion submitted in accordance with Council Procedure Rule 6:

(i) Wildfire Prevention and Resilience on Cannock Chase

Submitted by Councillor P. Fisher (Item 8.1 – 8.2).

9. 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.

Part 2

10. 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.

Tim Clegg.

T. Clegg
Chief Executive

22 September 2026

Guidance on Declaring Interests at Meetings

Declaring Interests at Full Council

The Code of Conduct requires that where you have an interest in any business of the Council, and where you are aware or ought reasonably to be aware of the existence of the 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.

The following interests must be disclosed where they may be affected by any matter arising at the meeting:

(a) 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.

(b) A **Registerable Interest** includes any unpaid directorships or any body of which you are a member, or are in a position of general control, and (i) to which you are appointed by the Council, or (ii) which exercises functions of a public nature, or (iii) which is directed to charitable purposes, or (iv) one of whose principal purposes includes the influence of public opinion or policy.

(c) A **Non-Registerable Interest** is any other matter affecting your financial interest or well-being, or a financial interest or well-being of a relative or close associate.

Where the matter **directly relates** to the interest, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

Where the matter **affects** the interest, but does not **directly relate** to it, you can remain in the meeting and take part **unless** the matter affects the financial interest or well-being to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision, and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

Please make the nature of the interest clear to the meeting

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.

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 Council Chamber, Civic Centre, Cannock

On Wednesday 8 July 2026 at 6:00 p.m.

Part 1

Present

Councillors**:**

Muckley, A. (Chair)
Mawle, D. (Vice-Chair)

Aston, J.	Hill, J.
Bell, M.	Hunt, A.
Boulton, C.	Jeffery, G.
Branson, R.	Johnson, T.
Cecil, D.	Lyons, N.
Cecil, M.	Lyons, O.
Craddock, R.	Mandry, R.
Deakin, M.	Millington, G.
Dunnett, M.	Parkes, J.
Elson, J.	Preece, J.
Fisher, P.	Prestwood, J.
Fitzgerald, A.	Sheppard, M.
Freeman, M.	Thompson, S.
Gaye, D.	Wilson, L.
Haden, P.	

14. Apologies

Apologies for absence were noted for Councillors P. Jones (Leader of the Council), J. Bancroft, S. Deakin, V. Jones, and M. Sutherland.

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

Member	Interest	Type
Cecil, D.	Agenda Item 11-Motion Received Under Council Procedure Rule 6. *Member is also a Staffordshire County Councillor, representing a Cannock Chase division.*	Personal
Hunt, A.	Agenda Item 11-Motion Received Under Council Procedure Rule 6. *Member is also a Staffordshire County Councillor, representing a Cannock Chase division.*	Personal
Mandry, R.	Agenda Item 11-Motion Received Under Council Procedure Rule 6. *Member is also a Staffordshire County Councillor, representing a Cannock Chase division.*	Personal

16. Minutes

Resolved:

That the Minutes of the Extraordinary and Annual Council meetings held on 20 May 2026 be approved as a correct record.

17. Questions Received from the Public Under Council Procedure Rule 4B(c)

(i) The following question was asked by Sheila Brown, Chair of Chase Heritage CIC:

"Our group has put forward an exciting plan for the future of the site in Valley Road, Hednesford.

We have over the past months, met with councillors from all parties, and received enthusiastic cross-party support for the concept of a Cannock Chase Heritage and Leisure Village.

To be clear, at this point we are not seeking final approval, there is considerable work to do to achieve delivery.

However, we do need from Cannock Chase Council (CCDC) a clear expression of intent to enable our organisation to take the next steps in this development and to ensure action is taken before the expected unitary changes occur.

We are also aware that all the time we wait, we are missing repeated deadlines to apply for funding. There is therefore an element of urgency.

This brings me here today to ask the Council if they can provide a date to us and the public, when they can bring forward agreement to pursue 'in principle' the concept presented and clearly express its intention to work in active partnership with Chase Heritage CIC in respect of the proposed Cannock Chase Heritage and Leisure Village.

In addition, we request that following this statement of intent, a date is set quickly for initial meetings with officers and parties, so we can begin to further shape our detailed plans. Also, so we can receive provision of CCDC's relevant policies and terms as previously requested.

Finally, if the Council are able to make this statement of intent, we request the outcome on our requests, to take on a peppercorn license or lease, on the small building on site known as the Craft Room. This is to use as a development base for the project and therefore we request CCDC's urgent consideration of this request, in tandem to the above, which is integral to our development."

The Deputy Leader of the Council, Councillor R. Craddock, provided the following response to the question:

"Can I start by thanking Sheila Brown OBE for her hard work and that of Chase Heritage in developing proposals for a Cannock Chase Heritage and Leisure Village. I can confirm that there is considerable enthusiasm from amongst all councillors in support of these plans.

I also recognise, as Sheila has said, that there is still a lot of work to be done to develop the plans even further into a scheme that can be approved by the Council. I know that a meeting has been scheduled with officers next week to start to work on that detail. A key area of focus will be in relation to the collection, which is of utmost importance to all councillors and residents of the District.

In addition to this, I can confirm that a report will be coming to Cabinet in August providing an update on the Museum of Cannock Chase. This will include what has been happening since the Museum closed in April 2025 and future plans for the site. It will of course be supportive of the work we are doing in partnership with Chase Heritage to develop those plans for a Heritage and Leisure Village on the site.

In relation to the request to take on the Craft Room on the site, I support Chase Heritage having use of the Craft Room whilst they develop their project plans, and I have asked officers to discuss this and the longer-term arrangements for the site when they meet.

Sheila Brown asked the following supplementary question:

"Timing-we started this project looking for a way forward for the site in February 2025, so we've been at it a while now. So, what I'm asking is if the Council can help us get traction on this by undertaking to take significant steps to negotiate the way forward, so an update could be brought before this Council in November of this year.

There is an awful lot of things to work out, but we're ready to move those forward and I think it would be useful to the public and for the Council where we have a date where we can have a further update, so we know where we're going."

Councillor Craddock provided the following response to the supplementary question:

"I think I speak for everyone when I say that we really want to move this along as quickly as we possibly can. We will come to Cabinet in August, and we will progress it as quickly as humanly possible, so hopefully by November we will have the answers for you."

(ii) The following question was asked by member of the public, Gaynor White:

"The former Leader of the Council, Councillor Steve Thornley, stated publicly that making the Prince of Wales Theatre structurally sound would cost £9.5 million. Can the Council confirm whether it holds any document (survey, assessment, report, or otherwise) that supports this figure, and if so, on what date it was produced and by whom?"

The Resources and Corporate Services Portfolio Leader, Councillor Bell, provided the following response to the question:

"The Council commissioned a number of surveys into the structure of the Prince of Wales (theatre) and the works required for its safe operation.

These cost estimates related to the creation of new access and service arrangements and internal refurbishment of the theatre to a basic standard.

The total cost is a little over £9.5 million, but this figure may change if the designs are amended. However, this cost does include an allowance of £2.9m for replacement M&E (Mechanical and Electrical) and £3.1 in fees and contingency.

So, let's be clear, as Council we will be ensuring that Value for Money IS delivered to the residents of Cannock Chase, and all figures will be scrutinised.

We received this report on the 19th of June 2026 and can confirm that it was produced by a Consultancy and Engineering firm and is dated 05/06/26.

I can also confirm that this report has been shared with all group leaders prior to cross-party discussions scheduled to take place in the near future.

Further information on the conclusions of the surveys, proposals and costs will be published with the papers for the August meeting of Cabinet where they will be discussed."

Gaynor White asked the following supplementary question:

"Given that you have confirmed that you do hold the document supporting that figure, will you confirm that you will commit to a date by which you will release this information to residents and other interested parties?"

Councillor Bell provided the following response to the supplementary question:

"The information is going to be discussed at a meeting of all the leaders on Friday, and then we're hoping to come some kind of cross-party decision with how we move things forward at Friday, and then after the August Cabinet meeting, all the information will be available that we can release."

18. Presentation of Certificates to Former Members and Honorary Aldermen and Alderwoman

Former Members

The Chair advised that it was customary for Council to acknowledge outgoing Members who retired or lost their seats at the recent local elections held in May 2026 and to present them with a certificate of recognition of service, with thanks from the Council.

The Chair then raised that she wished to recognise the amazing years of service by the people that were no longer in the room and knew that the Council appreciated it and was sure that the residents did too.

Certificates were awarded to the following former Members:

- Jean Hill, 2 years' service
- George Hughes, 2 years' service
- Garry Samuels, 2 years' service
- Steve Thornley, 2 years' service
- Liz Bishop, 3 years' service
- David Williams, 3 years' service
- Sue Thornley, 4 years' service
- Les Bullock, 14 years' service
- Justin Johnson, 14 years' service
- Sheila Cartwright, 16 years' service
- Diane Todd, 17 years' service

Former Councillors Bullock, J. Johnson, Samuels and Williams were present at the meeting and invited to come forward by the Chair to receive their certificates and all Members joined in congratulating them.

Honorary Aldermen and Alderwoman

The Chair reminded Members that at the Extraordinary Council meeting held on 20 May 2026, Council approved that the title of Honorary Alderman / Honorary Alderwoman be awarded to three former Members (Les Bullock, Sheila Cartwright and Justin Johnson) in recognition of their eminent service rendered to the Council as a past Member, for at least three terms in office (12 years).

Honorary Aldermen / Honorary Alderwomen of the Council were able to attend and take part in such civic ceremonies as the Council may have from time-to-time.

It was a prestigious award that was not only given in relation to the length of service, but dedication to the position of being a ward councillor. That Chair felt it was fair to say that all three former councillors were worthy of such an award. They had been called to serve their community as councillors and their length of service was a testament to their dedication to the District and this Authority as a whole.

Former Members Bullock and J. Johnson were present and so called forward by the Chair to collect their awards and all Members joined in congratulating them.

19. Chair's Announcements and Correspondence

(i) General Update

The Chair reported that in the last seven weeks since becoming Chair of the Council, she had been honoured to meet up with members of the Cannock Chase Theatre Trust and Chase Heritage CIC and get updates on the wonderful work that they were doing and their hopes for the future.

The Chair then advised that she had attended civic events across the County to represent the Council and was honoured to be invited to help open Cannock Wood mid-summer fair in her own ward, the Hednesford Library summer reading challenge 2026 launch and attend the monthly MASE meeting at St. Luke's Church in Cannock.

(ii) Armed Forces Day Flag Raising Ceremony

The Chair advised that a couple of weeks ago, the Council held a commemoration for Armed Forces Day. It was a wonderful event, and the flag was flown for Armed Forces Day. The event provided an opportunity for the Council to display its support for the men and women who made up the Armed Forces community, from current serving personnel to service families, veterans and cadets. The Chair had met some wonderful veterans at the event, including a lovely gentleman from the Royal Engineers who was that week celebrating his 94th birthday.

As part of those celebrations the Chair advised that she had read out a poem called 'The Call to Duty', by Kelly Roper and read it out again as part of today's meeting. The Chair advised she had chosen that poem because it gave a real sense of what people who represented their country gave up and what they also gave by doing so.

(iii) Chair's Fundraising for 2026/27

The Chair advised that for 2026/27, she had chosen two organisations to fundraise for. Firstly, the local charity MASE, which was set up 17 years ago and met regularly in Cannock, Rugeley and Stafford to support people who were living with dementia and their carers and families as well.

The second cause to fundraise for was the District's volunteer-led libraries. The Chair noted she had a lot of personal experience of visiting them with her young daughter, particularly Hednesford library where they knew her by name and what books she liked.

The activities and events put on by those libraries were important and it was always very much a community feel when stepping through the doors. The people in those libraries gave up their time for free, and quite often put their hands in their own pockets to buy items for the events and the activities. The fundraising would help to give back to them and help them keep giving to the community.

An email would be sent to all Members asking to them donate to those causes and it was intended to do some fundraising activities during the year.

(iv) MBE Award to Former Councillor Doug Smith

The Chair advised that former Councillor Doug Smith had been awarded an MBE in the King's Birthday Honours List for voluntary services for disabled riders and was congratulated for receiving the honour.

20. Leader's Announcements and Correspondence

The Deputy Leader advised that there were no updates to give at this time and noted that the Leader would provide updates at the September Council meeting.

21. Appointment of Armed Forces Champion

Nominations were sought for the appointment of an Armed Forces Champion for the Council.

Councillor Mandry nominated Councillor Parkes, which was seconded by Councillor M. Cecil

Councillor O. Lyons nominated Councillor V. Jones, which was seconded by Councillor Haden.

A vote was then taken on the nominations received.

Resolved:

That Councillor V. Jones be appointed as the Council's Armed Forces Champion.

22. Recommendation Referred from the Audit & Governance Committee

Consideration was given to the following recommendation to Council, made by the Audit & Governance Committee at its meeting held on 30 June 2026:

Code of Governance and Annual Governance Statement

"That Council, at its meeting to be held on 8 July 2026, be recommended to approve the Code of Governance as set out in Appendix 1 of the committee report."

Resolved:

That the Code of Governance, as set out in appendix 1 of the 30 June 2026 Audit & Governance Committee report, be approved.

23. Annual Scrutiny Business Report 2025/26

Consideration was given to the report of the Monitoring Officer (Item 10.1 – 10.7).

Resolved:

That the report and work of the Scrutiny Committees during 2025/26 be noted.

24. Motions Received Under Council Procedure Rule 6

(Councillors D. Cecil, Hunt and Mandry left the meeting at the start of this item.)

Consideration was given to the following Motion submitted by Councillor J. Elson:

Pride Displays in Libraries

"Proposal to write to the leader of Staffordshire County Council to insist that the edict banning any Pride displays in libraries in the Cannock Chase District is rescinded.

This Council believes that:

Gone are the days, if they ever existed, of libraries simply being depositories for books. Libraries exist to serve their community by providing an inclusive space where people

can step through the doors and know that they are welcome. Libraries should reflect the world we live in and ensure that those from minorities are represented.

Recently, Staffordshire County Council have sent out an edict to libraries in the county ordering them to dismantle any Pride displays. As a group, the Green Councillors on Cannock Chase District Council confirm not only our opposition to such a stance but we reaffirm our allyship with the LGBTQI+ community. A pride display does not promote an LGBTQI+ lifestyle, it is simply a clear sign to residents that their local library accepts all residents, regardless of sexual orientation. Anyone from a minority should be able to walk into their local library and see them being represented; it is not enough that those books are on the shelves.

We have seen a social media post from the Leader of Staffordshire County Council which confirms that tax-payers money should not be used to support an ideology. We reject that argument. Being LGBTQI+ is not an ideology, just like being a woman or a person of colour is not. Sexual orientation is a protected characteristic for good reason.

If the SCC leader's clarification is followed through to its logical conclusion, then there will be no displays when it is black history month, international women's day, disability awareness day or even Christmas. No one will be able to see themselves represented by their local library and that would be wrong.

This Council believes that:

1. This council, and the people who live and work within our district, are diverse.
2. That we should represent everyone in this district equally.
3. That members of minority communities are / have been the victims of discrimination and, consequently, we should promote their rights.
4. LGBTQI+ rights should not be politicised.

This Council notes that:

1. Libraries are a place of welcome, not just a depository for books.
2. The purpose of a library is to reflect the diverse communities that they serve.

This council therefore resolves to:

1. Write to the leader of Staffordshire County Council, with a copy of this motion asking for the moratorium on Pride displays in Cannock Chase District to be rescinded.
2. Appoint a CCDC LGBT+ ambassador for civic year 2026-27 as per Councillor Bancroft's motion of September 2022.

This is an original motion, written independently. I, Councillor Jo Elson, propose it."

In accordance with Council Procedure Rule 15(4)(a), a named vote on the Motion was requested and supported by the required number of Members.

For	**Against**	**Abstain**
Aston, J.	Bell, M.	
Boulton, C.	Branson, R.	
Dunnett, M.	Cecil, M.	
Elson, J.	Craddock, R.	
Fisher, P.	Deakin, M.	
Fitzgerald, A.	Jeffery, G.	

For	Against	Abstain
Freeman, M.	Millington, G.	
Gaye, D.	Parkes, J.	
Haden, P.	Sheppard, M.	
Hill, J.		
Johnson, T.		
Lyons, N.		
Lyons, O.		
Mawle, D.		
Muckley, A.		
Preece, J.		
Prestwood, J.		
Thompson, S.		
Wilson, L.		
19	**9**	**0**

Councillors D. Cecil, Hunt and Mandry did not vote having left the meeting for the duration of this item.

In addition, Councillors P. Jones (Leader), Bancroft, S. Deakin, V. Jones, and Sutherland were absent from the meeting.

Nominations were then sought for the appointment of a LGBT+ ambassador for the Council for the remainder of the 2026/27 civic year.

Councillor Hill nominated Councillor Dunnett, which was seconded by Councillor Wilson. No other nominations were received.

Resolved:

That:

(A) A letter be sent to the Leader of Staffordshire County Council, with a copy of Councillor Elson's Motion enclosed, asking for the moratorium on Pride displays in Cannock Chase District to be rescinded.

(B) Councillor M. Dunnett be appointed as the Council's LGBT+ ambassador for the remainder of the 2026/27 civic year.

(Councillors D. Cecil, Hunt and Mandry returned to the meeting at the end of this item.)

25. Comments and Questions on Part 1 and Part 2 Minutes of Cabinet, Committees, Sub-Committees and Panels Under Rule 9

None received.

The meeting closed at 7:03 p.m.

_____

Chair

National Scheme of Planning Delegations

Committee:	Council
Date of Meeting:	30 September 2026
Report of:	Head of Law and Governance
Portfolio:	Regeneration & Corporate Strategy

1 Purpose of Report

1.1 To update the officer scheme of delegation to reflect the mandatory national scheme of planning delegations.

2 Recommendations

2.1 That Council notes the introduction of legislation prescribing the type of planning decisions that must be delegated to officers.

2.2 That, from 31st October 2026, the Officer Scheme of Delegation in the Constitution be amended as set out in Appendix 1.

2.3 That the Local Protocol for Planning Decision Making is amended as set out in Appendix 2.

Reasons for Recommendations

2.4 An officer scheme of delegation is maintained within the Councils Constitution. It sets out the Councils functions that are delegated to officers for determination. New legislation will introduce a national scheme of planning delegations and require specific development management functions to be determined by officers. It is necessary for the Councils scheme of delegation to comply with these requirements.

3 Key Issues

3.1 The Councils Constitution includes a Scheme of Officer Delegation that sets out all functions delegated to Chief Officers for determination.

3.2 The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 come into force on 31st October 2026. They introduce a mandatory national scheme of planning delegations.

3.3 The Councils current scheme, and Local Protocol for Planning Decision Making, will need to be amended to comply with the mandatory scheme.

4 Relationship to Corporate Priorities

4.1 **Priority 1:** Economic Prosperity. Deliver good planning services that provide fast decision making for major and non-major planning applications.

4.2 **Priority 4:** Responsible Council. Uphold good governance in decision making by complying with the law.

5 Report Detail

5.1 Town and Country Planning decisions are mainly exercised in two ways. The majority of decisions are delegated to Council officers for determination, while others are referred to the Planning Control Committee. Up until now, Councils have been able to determine locally when decisions should be referred for determination by committee rather than officers. This has led to different schemes and decision-making procedures being adopted across the country.

5.2 The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 come into force on 31st October 2026. They introduce a mandatory national scheme of planning delegations.

5.3 The government states that its aim behind the national scheme of delegation is to ensure that there is greater clarity and consistency about the role of planning committees in planning decision making. Committees should focus on the key proposals that matter to an area, enabling other, often more minor and technical, decisions to be made by planning officers.

5.4 In order to make planning decisions lawfully, the Council will need to ensure that its current decision-making procedures comply with the law. This will require amendments to the current scheme of officer delegations as set out in the Appendix.

5.5 The regulations specify the types of planning approvals that **must** be determined by officers. It also lists the type of planning approvals that **may** be referred to Committee for determination.

5.6 Even if a planning approval is listed as a type that can be referred to committee, it can only be referred if a nominated officer and a nominated member agree that the application raises one or more issues of economic, social or environmental significance to the local area, or one or more significant planning matters having regard to the development plan and other material considerations.

5.7 The regulations also allow applications to be referred to committee if they are made by, or on behalf of, the Council or any of its members/officers, or if any of those parties is considered to have an interest in the application. The nominated officer and nominated member may agree that the matter should be referred to committee in the circumstances.

5.8 The government guidance states that the nominated officer should be the Chief Planning Officer or equivalent officer who has extensive professional planning experience. However, local planning authorities will also need to ensure they have other senior planning officers who can provide cover if needed to avoid any unnecessary delays in the referral process. The nominated member should be the chair of the planning committee. As in the case of nominated officers, the authority will need to ensure there are arrangements in place for other members to cover should the nominated member not be available

5.9 It is recommended that the Head of Economic Development and Planning (or such other officer appointed by them) acts as the nominated officer and that the Chair of Planning Control Committee (or Vice-Chair in their absence) acts as the nominated member. When making any referrals to committee, regard must be had to guidance published by the Secretary of State. The current guidance states that, in determining whether a referral is made, the presumption should be that decisions are delegated to officers and only exceptionally referred to committee. Where both nominated individuals do not agree to a referral, the matter must be delegated to officers.

5.10 The regulations also limit the size of Planning Committees to a maximum of 13 members. The Councils Planning Control Committee currently consists of 13 members, so is already compliant with this requirement.

6 Implications

6.1 Financial

None

6.2 Legal

As set out in the report.

6.3 Human Resources

None

6.4 Risk Management

Adoption of the mandatory requirements will reduce the risk of legal challenge against planning decision making.

6.5 Equalities and Diversity

None

6.6 Health

None

6.7 Climate Change

None

7 Appendices

Appendix 1: Amendments to Scheme of Delegations

Appendix 2: Amendments to Local Protocol for Planning Decision Making

8 Previous Consideration

None.

9 Background Papers

None.

Contact Officer: Ian Curran

Telephone Number: 220

Report Track: Council 30/9/2026 (Only)

Amendments to CCDC Scheme of Delegations

26.8 Head of Economic Development and Planning

26.8.1 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.

26.8.2 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.

26.8.3 To apply for a warrant to enter premises where the legislation listed in Annex 4 of this Section so permits.

26.8.4 To issue and enforce fixed penalty notices where the legislation listed in Annex 4 of this Section so permits.

26.8.5 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.

26.8.6 With the Head of Operations, explore and develop any future projects, opportunities and initiatives in the Cannock Chase District that may arise from hosting the Commonwealth Games Mountain Biking event, in consultation with the Portfolio Leaders for Economic Development & Planning and Culture and Sport.

26.8.7 In consultation with the s.151 Officer and the Portfolio Leader, to take any associated decisions as required to ensure the Levelling Up Fund Project is delivered on time and on budget, including, but not limited to:

(a) The Council appointment and contract award for any specialist advisers and consultants (in accordance with the Council's Procurement / contract regulations).

(b) To enter into any necessary negotiations with relevant landowners and/or third parties regarding the acquisition of property/land interests as deemed necessary for delivery of the Levelling Up Fund Project, this will include the agreement of any financial compensation measures for owners/tenants/occupiers affected by the proposed development.

(c) To investigate, determine and secure the most appropriate way in which to provide additional Specialist Project Management Services (subject to the availability of resources), to assist with delivery of the Levelling Up Fund Project. This will be necessary to safeguard the Council's interests and to provide sufficient delivery capacity to the Economic Development Team.

26.8.8 With the Head of Operations, to identify the likely car parking needs arising from the proposed Levelling Up Fund Project and undertake any feasibility work as necessary to inform a future business case.

Planning

26.8.9 Subject to 26.8.156 below,

~~26.8.9~~ (a) to process and determine or instruct a suitably qualified person(s) to do so, all applications submitted under Town and Country Planning legislation, make assessments, discharge all obligations, duties, and responsibilities, and exercise all powers and authorities that fall within the legislation (and any modifications thereto or re-enactments thereof) listed at Annex 4 to this Section, and in particular, but not exclusively:

~~26.8.10~~ (b) To agree, in consultation with the Legal Service, planning obligations under the Town and Country Planning legislation and any variation thereto.

~~**(Tree Preservation Orders)**~~

~~26.8.11~~

~~(a)~~ (c) To deal with any ~~unopposed~~ applications to lop, top or fell legally protected trees and trees within conservation areas, and give grant aid therefore pursuant to Council policy and~~.~~

~~D~~determine applications to fell or do works to trees that are subject of a TPO.

Tree Preservation Orders

~~(b)~~ 26.8.10

~~(c)~~ Make TPOs, and, where there are no objections, to confirm them when dealing with planning related matters, and

~~(d)~~ ~~To~~ exercise powers to dispense with or to enforce the duty to replace trees which are the subject to a Tree Preservation Order.

~~26.8.12~~26.8.11 To appoint suitably qualified officers and enforce planning control or instruct a suitably qualified person(s) to do so through the provisions of that legislation set out in Annex 4 and where considered necessary and appropriate the authorisation of criminal and civil proceedings (and the defence/opposition thereof if necessary and/or the acceptance and administration of formal cautions) and/or the use of the following statutory notices:

(a) Planning Contravention Notices.

(b) Enforcement Notices.

(c) Stop Notices and Temporary Stop Notices, in consultation with the Legal Service.

(d) Breach of Condition Notice.

(e) Notices requiring the proper maintenance of land.

(f) Enforcement of control over advertisements.

(g) Discontinuation Notices in respect of Advertisements.

(h) Any other statutory notice available to the Council under any legislation referred to in Annex 4 of this Section.

~~26.8.13~~26.8.12 To issue~~:~~

~~(a) Certificates of lawfulness of proposed use and development.~~

~~(b) Certificate of lawfulness of use or development.~~

~~(c)~~ Building Preservation Notices.

~~26.8.14~~26.8.13 Remove unauthorised advertisements and recover the cost of removal from the offender(s).

~~26.8.15~~26.8.14 Represent the Council in appeals, inquiries, and hearings, or instruct an appropriately qualified person to do so.

~~26.8.16~~26.8.15 The following matters shall be reported to the Planning Control Committee for determination:

(a) Applications falling under Schedule 2 of the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 where the Head of Economic Development and Planning (or other planning officer appointed by them) agrees with the Chair of Planning Committee (or Vice-Chair) that it raises:

(1) one or more issues of economic, social or environmental significance to the local area, or

(2) one or more significant planning matters having regard to the development plan and any other material considerations.

(b) Applications made by or on behalf of the Council, or a member of the Council, or an officer of the Council, or where the Council or any of its members or officers otherwise has an interest in the application where, having regard to the circumstances of the application, the Head of Economic Development and Planning (or planning officer appointed by them) agree with the Chair of Planning Committee (or Vice-Chair) that it should be referred to Committee rather than determined by officers.

~~(a) All Planning Applications which in the reasonable opinion and judgement of the Officer(s) duly authorised by the Chief Executive 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 Chief Executive 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.~~

~~(vi) When a Parish/Town Council has objected to an Application with a valid planning reason 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 clear and relevant material planning 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 decisions to make Tree Preservation Orders (TPO) and there is an unresolved objection to the proposed TPO.~~

~~26.8.17~~26.8.16 To make non-substantive amendments to adopted Supplementary Planning Documents (SPDs) in consultation with the Economic Development and Planning Portfolio Leader.

~~26.8.18~~26.8.17 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.

~~26.8.19~~26.8.18 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.

~~26.8.20~~26.8.19 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.

~~26.8.21~~26.8.20 With the s.151 Officer, to jointly make decisions on whether or not to offer exceptional relief from the Community Infrastructure Levy and accept payments in kind on a case-by-case basis, in consultation with the Leader of the Council and the Corporate Improvement Portfolio Leader.

~~26.8.22~~26.8.21 To make any minor amendments required to the Community Infrastructure Levy Guidance for Parish and Town Councils to reflect regulatory changes.

~~26.8.23~~26.8.22 To make any non-substantive changes considered necessary to the Statement of Community Involvement, in consultation with the Economic Development and Planning Portfolio Leader.

~~26.8.24~~26.8.23 With the s.151 Officer, to approve whether conditions attached to grant agreements in respect of Community Infrastructure Levy funding allocations have been met, before such funds can be released.

~~26.8.25~~26.8.24 In consultation with the Portfolio Leader, to make minor changes to the Community Infrastructure Levy (CIL) Allocations Protocol, necessitated by changes to CIL related legislation.

~~26.8.26~~26.8.25 In consultation with the Portfolio Leader, to agree future Statements of Common Ground related to Local Plan matters.

~~26.8.27~~26.8.26 In consultation with the Environment and Climate Change Portfolio Leader, agree future allocation of funds to mitigation projects (in respect of the Cannock Chase Special Area of Conservation) and to agree and enter into any business plans and governance arrangements agreed by the Cannock Chase Special Area of Conservation Partnership to implement the mitigation policy.

~~26.8.28~~26.8.27 In consultation with the Regeneration and High Streets Portfolio Leader, to review and update the Development Management Pre-application Charging Schedule as necessary.

~~26.8.29~~26.8.28 The signing of authorisations under the Council's Great Crested Newt District Level Licence.

~~26.8.30~~26.8.29 To waive or reduce the administrative fees in exceptional circumstances for the processing of invalid planning applications and the monitoring of Section 106 agreements.

~~26.8.31~~26.8.30 In consultation with the Portfolio Leader, to approve minor amendments to the Planning Enforcement Policy.

~~26.8.32~~26.8.31 To make any minor changes to the Cannock Chase Local Plan 2018-2040.

Annex 4: Legislation – Economic Development and Planning

Add:
Planning and Infrastructure Act 2025
Town and Country Planning (Discharge of Local Planning Authority Functions) Regulations 2026

Item No. 7.10

Appendix 2

Amendments to Local Protocol for Planning Decision Making

Section 39
Local Protocol for Planning
Decision Making

Introduction

- **The aim of this local protocol** is to ensure that in the planning process there are no grounds for suggesting that a decision has been biased, partial or not well founded in any way.

- **The key purpose of planning is** to control development in the public interest.

- **Your role as a member of the Planning Authority** is to make planning decisions openly, impartially, with sound judgement and for justifiable reasons.

- **When the local protocol applies –** it applies to Councillors at all times when involving themselves in the planning process. (This includes when taking part in the decision-making meetings of the Council in exercising the functions of the Planning Authority or when involved on less formal occasions, such as meetings with officers or the public and consultative meetings).

- **Development Proposals and Interests under the Members' Code –** make sure that you disclose the existence and nature of your interest at any relevant meeting, including informal meetings or discussions with officers and other Councillors.

- **Lobbying Councillors –** make sure that you explain to those lobbying or attempting to lobby you that, whilst you can listen to what is said, it prejudices your impartiality and therefore your ability to participate in the Planning Control Committee's decision making to express an intention to vote one way or another or take such a firm point of view that it amounts to the same thing. Remember that your overriding duty is to the whole community.

- **Lobbying by Councillors –** do not become a member of, lead or represent an organisation whose primary purpose is to lobby or promote or oppose planning proposals. If you do, you have fettered your discretion and are likely to have a personal and prejudicial interest. Do join general interest groups which reflect your areas of interest, and which concentrate on issues beyond particular planning proposals, e.g., Victorian Society, a local Civic Society, but disclose a personal interest, where that organisation has made representations on a particular proposal.

- **Site Visits –** do try to attend site visits organised by the Council where possible. Do not request a site visit unless you feel that it is strictly necessary.

- **Decision-making –** come to a meeting of the Planning Control Committee with an open mind and demonstrate that you are open-minded. Make sure you come to a decision only after due consideration of all the information reasonably required upon which to base a decision. Do not take part in the meeting's discussion or vote on a proposal unless you have been present to hear the entire debate, including the officers' introduction to the matter. If you come to the meeting with a fixed view on a

proposal or have made a clear statement in advance of the meeting for a particular outcome, you must declare that you have pre-determined the matter and take no part in the decision making other than addressing the Committee as a local Councillor.

If you have any doubts about the application of this protocol to your own circumstances, you should seek advice early from the Monitoring Officer or Deputy Monitoring Officer.

Contents

1. Purpose of the Protocol

2. The Role and Conduct of Councillors and Officers

3. Declaration and Registration of Interests

4. Development Proposals Submitted by Councillors and Officers and Development Proposals by the Council

5. Lobbying of and by Councillors

6. Pre-application Discussions and Negotiations during the Processing of Applications

7. Decision Making Procedures

8. Planning Obligations

9. Decisions Contrary to Officer Recommendation and/or the Development Plan

10. Access to Information

11. Comments, Compliments and Complaints

Annex A: Protocols for Public Speaking at the Planning Control Committee

Contacts

1. Purpose of Protocol

1.1 Cannock Chase Council is a local planning authority and two of the most important responsibilities it has are to make decisions on planning and other applications made under the Town & Country Planning Acts and to prepare, adopt and review a Local Development Framework, which comprises a number of Development Plan Documents and Supplementary Planning Documents providing the policy context for decision making on applications.

1.2 The purpose of this Protocol is to explain how the Council carries out its planning duties and in particular how the decision-making processes work. It will be of particular interest to applicants for planning permission, people who may be affected by other people's planning proposals or those interested in the preparation of the Development Plan Documents and Supplementary Planning Documents.

1.3 The Council has adopted and published in leaflet form local charters for applicants, for publicity and information about planning applications and for those involved with a planning enforcement problem. These leaflets give more detail about the services the Council provides when it is dealing with these matters. The Council has also adopted a Statement of Community Involvement December 2018 setting out how it will inform, consult, and involve the community in the preparation of planning policy documents and the determination of planning applications.

2. The Role and Conduct of Councillors and Officers

2.1 Councillors and Officers have different, but complementary, roles. Both serve the public, but Councillors are responsible to the electorate, while Officers are responsible to the Council as a whole. Officers advise Councillors and the Council and carry out the Council's work. They are employed by the Council, not by individual Councillors, and instructions may only be given to Officers through a Council, Cabinet or Committee decision.

2.2 Both Councillors and Officers are guided by codes of conduct. The Council's Code of Conduct based on the statutory Model Code provides guidance and standards for Councillors. Breaches of the Code may be reported to the Standards Board for England for investigations and may be regarded as maladministration by the Local Ombudsman.

2.3 Whilst Councillors have a special duty to their ward constituents, including those who did not vote for them, their overriding duty is to the whole community. The General Principles of Conduct issued by the Government state that Councillors should not favour any individuals or groups and, although they may take into account the views of others, they should reach their own conclusions on the issues before them and act in accordance with those conclusions. Councillors must, therefore, represent their constituents as a body and vote in the interests of the whole district especially when discharging their planning responsibilities.

2.4 Planning Officers who are Chartered Town Planners are guided by the Royal Town Planning Institute's (RTPI) Code of Professional Conduct. Breaches of the Code may be subject to disciplinary action by the Institute. The Code requires members not to make or subscribe to any statements or reports which are

contrary to their own bona fide professional opinions and to take all reasonable steps to ensure that all town planning matters in the organisations for which they have responsibility are conducted in accordance with the Code whoever undertakes such work. The Council is committed to upholding this principle in its role as local planning authority.

3. Declaration and Registration of Interests

3.1 The law and the Council's Code of Conduct set out requirements and guidance for Councillors, respectively, on declaring personal and prejudicial interests and the consequences of having such interests.

3.2 **Do** disclose the existence and nature of your interest at any relevant meeting, including informal meetings or discussions with officers and other Councillors. Preferably, disclose your interest at the beginning of the meeting and not just at the commencement of discussion on that particular matter.

Do then act accordingly. **Where your interest is personal and prejudicial** (i.e., where you have a personal interest, and that interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that is likely to prejudice your judgement of the public interest):

- **Don't** participate, or give the appearance of trying to participate, in the making of any decision on the matter by the planning authority.

- **Don't** try to represent ward views, get another Ward Member to do so instead.

- **Don't** get involved in the processing of the application.

- **Don't** seek or accept any preferential treatment or place yourself in a position that could lead the public to think you are receiving preferential treatment, because of your position as a Councillor. This would include, where you have a personal and prejudicial interest in a proposal, using your position to discuss that proposal with officers or Members when other members of the public would not have the same opportunity to do so.

- **Do** be aware that, whilst you are not prevented from seeking to explain and justify a proposal in which you have a personal and prejudicial interest to an appropriate office, in person or in writing, the Code places limitations on you in representing that proposal. You may address the Committee but only to make a presentation in the same manner that would apply to a normal member of the public, after which you must leave the room whilst the meeting considers it (you may not remain to observe the meeting's considerations on it from the public gallery).

3.3 **Do** consider yourself able to take part in the debate on a proposal when acting as part of a consultee body (where you are also a member of the Parish Council, for example, or both a District and County Councillor), provided:

(i) The proposal does not substantially affect the well-being or financial standing of the consultee body.

(ii) You make it clear to the consultee body that:

- Your views are expressed on the limited information before you only.

- You must reserve judgement and the independence to make up your own mind on each separate proposal, based on your overriding duty to the whole community and not just the people in that area, Ward or Parish, as and when it comes before the Committee, and you hear all of the relevant information, and

- You will not in any way commit yourself as to how you or others may vote when the proposal comes before the Committee.

(iii) You disclose the personal interest regarding your membership or role when the Committee comes to consider the proposal.

3.4 Officers are required to follow the Council's Code of Conduct for Employees.

4. Development Proposals Submitted by Councillors and Officers and Development Proposals by the Council

4.1 Serving Councillors who act as agents for people pursuing a planning matter within their authority will play no part in the decision-making process for that proposal. Similarly, should they submit their own proposal to the authority, they will take no part in its processing.

4.2 Proposals of this nature will be identified and the Head of Economic Development and Planning and the Chair of Planning Control Committee will decide whether, in all the circumstances, the application should be referred to Committee for determination. ~~reported to the Planning Control Committee for decision and not dealt with by officers under delegated powers. The same approach will be applied to applications submitted by planning officers employed by the Council.~~ The same approach will be taken in respect of applications submitted on behalf of the Council itself or by any of its officers.

~~4.3 Proposals for the Council's own development will be treated in exactly the same way as those by private developers.~~

5. Lobbying of and by Councillors

5.1 Lobbying is a normal and perfectly proper part of the political process and applicants or third parties who may be affected by a planning decision may choose to approach their elected Ward Councillors or members of the Planning Control Committee to put their point of view in addition to discussing matters with planning officers. Members of the Planning Control Committee must take care about expressing an opinion that may be taken to indicate that they have already made their mind up on a planning proposal before they have had an opportunity to consider all the evidence and arguments.

5.2 A Ward Councillor who is not a member of the Planning Control Committee may respond to lobbying by declaring their support for a particular outcome and may address the meeting of the Planning Control Committee which is to determine the application. The Councillor will be given the same amount of time to speak as a member of the public i.e., 10 minutes (see Annex A).

5.3 A Ward Councillor who is also a member of the Planning Control Committee must make a clear choice in response to lobbying either to:

(i) inform the lobbyist that they must maintain a neutral position on the proposal until the meeting, which is due to determine it, when they will have read the report and listened to any discussion there may be about the proposal, in order to carry out their job as decision maker in an even handed way (a standard written response could be used for the purpose), or

(ii) decide to declare support for a particular outcome but then declare at the Committee meeting that they have pre-determined the decision and take no part in the decision making other than addressing the Committee as a Ward Councillor.

This does not apply if the Ward Councillor has a prejudicial interest which arises from their own personal circumstances. In that case, the Councillor may make representations to the Planning Control Committee and answer questions as a member of public would be able to but must then leave the room and take no part in the decision making.

6. Pre-application Discussions and Negotiations During the Processing of Applications

6.1 An important part of the planning service provided by the Council is the advice given by Officers to both applicants and people affected by planning proposals both before the submission of applications and during the processing of applications. It is considered to be a more effective use of resources to give advice to applicants to enable them to present their applications in a manner which meets the appropriate planning policy requirements first time rather than not to do so which could result in more applications being refused and having to be resubmitted or determined at appeal.

6.2 The following principles will apply to the giving of advice:

(i) It will always be made clear that any advice cannot bind the Council to making a particular decision.

(ii) Advice will be based solely upon approved policy considerations contained in the development plan, approved supplementary planning guidance and in appropriate cases government planning guidance.

(iii) When Councillors are requested to advise, the meeting will take place in the presence of an appropriate Officer.

(iv) A written record of the meeting including any agreed outcome will be made and placed on the case file.

6.3 These protocols relate to the giving advice on planning policy. Advice on procedure can be given by individual Officers or Councillors at any time.

7. Decision Making Procedures

7.1 The Council is required to prepare Development Plan Documents (DPD's) and (if appropriate) Supplementary Planning Documents (SPD's) to provide a robust local planning policy context for decision making on planning applications. Public consultation in accordance with the principles set out in the Council's adopted Statement of Community Involvement December 2018 is carried out at specific

stages in the preparation of DPD's which are adopted following an independent examination by an Inspector acting on behalf of the Secretary of State for Communities and Local Government.

7.2 Decisions to take formal DPD's through their stages as far as preferred options are taken by the Cabinet and decisions to submit documents for examination and formally adopt them are taken by the Council. Decisions to adopt SPD's are taken by Cabinet.

7.3 The policies and proposals in the District's DPD's when adopted and the adopted Regional Spatial Strategy (RSS) are the most important matters to inform decision making on planning applications together with the policies contained in SPD's which give more detailed guidance on specific planning subjects, e.g., affordable housing, open space, sport, and recreation. There is a presumption that decisions should be made in accordance with policies in these documents with most weight to be given to policies in the Development Plan (DPD's and RSS).

7.4 **Decisions on planning and other applications** submitted under the Town & Country Planning Acts including applications for listed building consent, conservation area consent, consent to display an advertisement (referred to and defined as Planning Applications under paragraph 7.4(A)(1) below) are made by one of the following two methods:

(A) By the Head of Service or a manager in the Planning Division in the following circumstances:

(1) All applications seeking planning consent that have been duly accepted for determination by the Council ("Planning Applications") that are not referred to the Planning Control Committee under the Scheme of Delegation.

(B) Council's Planning Control Committee:

(2) All planning applications that are referred to the Planning Control Committee under the Council's Scheme of Delegations.

~~(3) Where a Member of the Council seeks to refer an application to the Planning Control Committee, the Member shall proceed to making a written request (using the necessary referral form available from the Council's Planning Section), which must~~

~~(i) set out clear and relevant material planning 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.~~

7.5 Decisions to make **Tree Preservation Orders** (TPO) ~~and to determine applications to carry out works to TPO trees~~ are made by senior officers. Where there is an unresolved objection to a proposed TPO the final decision on these matters is also made by the Planning Control Committee.

7.6 The Planning Control Committee normally meets once every 4 weeks. It considers reports prepared by planning officers which make an assessment of all the relevant planning issues, summarise all comments received and make a

recommendation to approve or refuse the application with appropriate reasons based on national and local planning policies.

A recommendation of approval may include conditions to ensure that the proposed development meets with the appropriate planning requirements. It may also require the applicant to complete a planning obligation (S106 of the Town & Country Planning Act 1990) to deal with the effects of the development on the local area in a way which cannot be controlled by a planning condition (see Section 8 below). The Committee decides whether or not to accept the recommendation. It may defer consideration of the application to seek further information or to enable a site inspection to take place (see 7.8 below).

The procedures at Planning Control Committee provide for the applicant, a maximum of two objectors, Ward Councillors, and a representative of a Parish Council to address the Committee before it makes a decision on a planning application, TPO. Full details of the operating rules for people to address the Committee are set out in Annex 'A.'

7.7 **Site Inspections by members of the Planning Control Committee**.

7.8 Inspections can be made to sites which are the subject of planning applications or TPOs in the following circumstances:

(i) When officers recommend an inspection in advance of producing a report so that if the Chair, or in their absence, the Vice-Chair, of the Committee agrees, the inspection can take place on the day the Committee meets to consider the report on the application.

(ii) When the Committee decides it needs to defer a decision on an application in order for a site inspection to take place.

7.9 In all cases clear and relevant planning reasons must be given as to why an inspection is considered necessary and what it would be likely to achieve. As a general principle an inspection is only likely to be appropriate when it will clarify, or supplement information contained in the officer's written report and that information cannot be obtained in another way. It will not be appropriate for an inspection to take place merely because a consultee or neighbour has requested it unless Councillors can identify clear and relevant planning reasons.

7.10 The purpose of the inspection is to obtain additional information about a proposal by looking at the site and the surroundings. It is not an opportunity to discuss the merits of the proposal with the applicant or objectors. Representations from applicants and third parties will therefore not be permitted. The following procedure will apply:

(i) The inspection will be managed by the Chair of the Committee or in their absence the Vice Chair.

(ii) Applicants will be informed of the time of the inspection but not invited to participate other than to allow access to land or property if appropriate.

(iii) Officers will attend to give a brief explanation of the proposal and answer any questions from Councillors

(iv) Officers will make a brief note of the inspection including a record of which members attended and any new factual information which may have been brought out. This will be placed on the case file.

(v) Third parties (objectors) are not invited to inspections and would not be entitled to enter the site unless invited to do so by the applicant. If objectors are present with the consent of the applicant, they may listen to the officers' explanation and Councillors' discussion but not participate.

8. Planning Obligations (S106 Agreements)

8.1 In order to mitigate the impact of development on the environment, deal effectively with transport, other infrastructure and community facility requirements generated by new development, agreements under S106 of the Town & Country Planning Act 1990 are negotiated with developers prior to the grant of planning permission. In some cases, developers may offer unilaterally to make such provision.

8.2 These planning obligations whether made by agreement or unilaterally are required to ensure that development complies with the appropriate policies in the Development Plan and may include making payments to the District Council or County Council to enable facilities such as open space and school buildings to be provided.

The fact that payments need to be made in order to secure the grant of a planning permission can give rise to a misunderstanding that somehow developers are 'buying' a planning permission. This is not the case but is a legitimate means of ensuring that the appropriate planning requirements are met. In order to ensure a consistent approach to negotiating obligations the Council has adopted a Supplementary Planning Document entitled 'Developer Contributions.'

8.3 For the purpose of this Protocol two key elements of the Supplementary Planning Document are important:

(i) The issues to be dealt with by an obligation will be described in sufficient detail in the report on the planning application to be considered by the Planning Control Committee. This will include financial information if it is available at this stage.

(ii) The completed obligation will be placed on deposit in the planning register at the same time as a copy of the related planning permission.

9. Decisions Contrary to Officer Recommendation and/or the Development Plan

9.1 Planning is not an exact science. It relies on making informed judgements within a firm policy context. The weight given to particular planning considerations in a specific case can make a difference to the final outcome and it is perfectly justifiable for the Committee to give different weights to issues than those given by Officers and thereby reach a different overall conclusion to that recommended by officers.

9.2 It may be clear from the original Officers' report when a conclusion to recommend approval is reached 'on balance' that there are sustainable reasons which can be adduced to support a decision to refuse planning permission, and these may be

brought out at the Committee meeting. In other cases, the reasons may need further consideration in which case it may be appropriate for the matter to be deferred to determine at the next meeting. When the Committee wish to approve an application contrary to the officer recommendation of refusal, deferral may also be necessary to enable appropriate conditions to attach to the approval to be drafted.

9.3 **Do** make sure that if you are proposing, seconding, or supporting a decision contrary to officer recommendations or the Development Plan that you clearly identify and understand the **planning reasons** leading to this conclusion / decision. These reasons must be given prior to the vote and be recorded. Be aware that you may have to justify the resulting decision by giving evidence in the event of any challenge.

9.4 When it is intended to approve an application, which is contrary to the Development Plan, the material planning considerations which are judged to be more significant than the policies in the plan will be clearly identified in the report. In some cases, the Secretary of State for Communities and Local Government must be informed and may decide not to permit the Council to approve the application but instead make the decision himself after holding a Local Public Inquiry.

10. Access to Information

10.1 The whole of the process of determining planning applications takes place in an open and accessible manner. Applications are deposited on a public register and all background information including any letters of objection or support for an application are available for inspection by law 5 clear working days before the application is due to be determined by the Committee. If an application is subject to an appeal the Council's and the appellant's evidence are made available for inspection and if people wish to express an opinion in writing or at a local inquiry or hearing they may do so.

10.2 The Council is committed to making the process as open and accessible to people as possible within the financial constraints it has to operate. It therefore provides the following services in addition to the minimum statutory requirements:

(i) Copies of planning applications are deposited at the Civic Centre. Parish Councils are provided with copies of planning applications and the decisions made on them.

(ii) A copy of any agreement or obligation made under the Town & Country Planning Act to provide for measures, financial or otherwise, to enable a proposed development to comply with the planning requirements is included in the planning register.

(iii) All planning application case files are available for inspection **by appointment** at any time.

11. Comments, Compliments and Complaints

11.1 Cannock Chase Council is committed to serving the community in the most efficient and courteous way possible. We welcome your comments, compliments, and complaints as this helps us to know what are the good things about our

services and what things we need to improve. If you wish to make a comment, compliment, or complaint a 'How To' form is available at the Council Offices in Cannock:

Cannock Chase Council, Civic Centre, Beecroft Road, Cannock, WS11 1BG

Telephone: (01543) 462 621

11.2 A complaint can only be investigated if it relates to the way a matter was dealt with rather than the actual outcome i.e., the fact that this Council made a planning decision which people disagree with is not a basis for lodging a complaint.

Item No. 7.22

Annex A

Protocols for Public Speaking at Planning Control Committee

1. Protocols

1.1 Who is Entitled to Speak

(i) In relation to a planning application:

(a) The applicant or a person representing the applicant.

(b) A supporter of the application.

(c) An objector who is acting on their behalf or on behalf of a group of objectors or a person representing objectors. Normally, only one person will be permitted to speak on behalf of all objectors unless it can be demonstrated that there are significantly differing points of view that are wished to be expressed when a maximum of two people will be permitted to speak.

(d) A Ward Councillor(s).

(e) A representative of the Parish Council.

(ii) In relation to Tree Preservation Orders:

(a) A person or representative of a person supporting the making of an order.

(b) A person or representative of a person objecting to the making of an order.

(c) A Ward Councillor(s)

(d) A representative of the Parish Council.

1.2 Making an Application to Speak

Requests to speak must be made by completing an application form obtainable from the Planning Control Unit at the Civic Centre. The completed form must be delivered to the Civic Centre by, at the latest, 3:00pm on the Monday before the meeting of the Planning Control Committee due to take place on the Wednesday. Receipt of the completed form will be acknowledged in writing. Ward Councillors need not complete an application form but should inform the Chair of the Planning Control Committee that they wish to speak on a particular application.

1.3 Procedure following Receipt of Application to Speak

If an application to speak has been received from one of the parties, other than a Ward Councillor, officers will use their best endeavours to contact the other parties to give them an opportunity of speaking if they so wish. In cases where there are a large number of objectors, it may not be possible to contact everyone.

As information about speaking rights will already have been sent to applicants, people notified of applications and Parish Councils at an early stage in the processing of an application, failure to contact other parties following receipt of an application to speak from one of them will not invalidate the procedure. No contact will be made in writing at this stage.

1.4 Procedure at the Meeting

Applications and other matters on which there are speakers will be dealt with at the start of the meeting. The procedure for dealing with these matters will be as follows:

(i) An officer will give a verbal report updating the written report with any information received after its completion.

(ii) Speakers will be called to speak in the following order:

- objector(s);
- Parish;
- Ward Councillor(s)
- A supporter of the application
- Applicant or supporter or alleged contravener (where applicable)

(iii) Speeches must last no longer than TEN MINUTES. Speakers may not circulate or present any new or additional written documents, drawings, or photographs. The Chair will invite the speaker to sum up before the ten-minute time limit is reached.

(iv) Members of the Planning Control Committee may then ask questions of any of the speakers.

(v) The Planning Officer may then answer any points arising from the speeches.

(vi) The speakers will then withdraw to the public gallery and a decision will be made following whatever further discussions members of the Planning Control Committee wish to have.

(vii) In the event that Committee decide to defer a decision before any speakers have been called to speak on the matter speakers will be invited to decide whether they wish to defer their speeches until the deferred date. Only one opportunity to speak will be allowed.

(viii) In the event that the Committee decide to defer consideration of a matter after any speaker has addressed the Committee on that matter all the speakers on that matter will be allowed to speak again on the deferred date. If a speaker is unavailable on that date, they may nominate a substitute to speak on their behalf.

1.5 Procedure after the Meeting

Speakers will be sent written notification of the Planning Control Committee's decision.

1.6 Chair

The ruling of the Chair of the meeting as to the construction or application of any of the above shall not be challenged.

Item No. 7.25

Application to Speak at a Meeting of the Planning Control Committee

1.1 Please read the notes before you complete your application (please complete in block capitals)

1.2 Name: _____

1.3 Address: _____

_____

_____

1.4 Daytime Tel. No. _____

1.5 Fax No. _____

1.6 Purpose of wishing to speak (tick appropriate box):-

As applicant or on behalf of applicant	☐
A supporter of the application	☐
As objector to a planning application or on behalf of objector	☐
As supporter of a Tree Preservation Order	☐
As objector to a Tree Preservation Order	☐
As complainant concerning a planning enforcement issue	☐
As person alleged to be in contravention of planning regulations	☐
As representative of a Parish Council	☐

1.7 Details of Planning Application, Tree Preservation Order or Enforcement Case which you wish to speak on:-

(i) Description: _____

(ii) Reference No. _____

1.8 You are reminded that when addressing the Committee, you must not make a defamatory statement. If you do make a defamatory statement, action may be taken against you.

1.9 **The length of the speech must not exceed 10 minutes.**

Signature: _____ Date: _____

~~Request for Application to be Determined by the Planning Control Committee~~

~~If a Member wishes an application to be decided by the Planning Control Committee rather than by officers under the adopted scheme of delegated decision-making, this form must be completed and sent to the Planning Services Manager within 21 days of an application appearing on the weekly list of applications received.~~

~~Application No.~~	~~CH/~~
~~Location:~~	

~~Description:~~	

~~Do you wish to discuss the application with the case officer or manager before confirming your request?~~

~~Yes~~	~~No~~	~~(Delete as applicable)~~

~~Reason for requesting consideration by the Planning Control Committee:~~

~~Do you wish the Committee to make a site visit?~~

~~Yes~~	~~No~~	~~(Delete as applicable)~~

~~Reason for site visit:~~

~~Signature: _____ Date: _____~~

Contacts

Development and Policy Manager

Sushil Birdi

Tel. (01543) 464 326

e-mail: sushilbirdi@cannockchasedc.gov.uk

Development Management Team Leader

Claire Faulkner

Tel. (01543) 464 337

e-mail: clairefaulkner@cannockchasedc.gov.uk

Customer Services Assistant

Amanda Webster

Tel. (01543) 464 315

e-mail: amandawebster@cannockchasedc.gov.uk

Cannock Chase District Council
Civic Centre
PO Box 28
Beecroft Road
Cannock
WS11 1BG

Telephone: (01543) 462 621

www.cannockchasedc.gov.uk/planning

developmentcontrol@cannockchasedc.gov.uk

Motion 1: Wildfire Prevention and Resilience on Cannock Chase

Submitted by Councillor Paul Fisher:

This Council notes that:

- Communities across the Cannock Chase District have experienced repeated wildfires during the exceptionally dry summer, including fires on Cannock Chase, at Etching Hill, in Hednesford, in Rugeley and in Brereton. Lowland Heath land has also been affected.
- Wildfires in Staffordshire have resulted in the destruction of crops, the loss of animals and significant damage to heathland and other vital habitats.
- Some wildfires are started deliberately, while others can be caused by discarded litter, barbecues, cigarettes and other sources of ignition, or occur naturally.
- Wildfires require significant resources from Staffordshire Fire and Rescue Service and can require firefighters and equipment to be diverted from other incidents and priorities.

This Council believes that:

- The increasingly regular occurrence of wildfires on and around Cannock Chase is deeply concerning and cannot be treated as an inevitable consequence of hot, dry weather.
- Preventing wildfires must be given greater priority. Once a fire has taken hold on Cannock Chase, the consequences can be devastating for wildlife, habitats, businesses, residents, visitors and the firefighters who have to tackle them.
- Everyone who lives in or visits Cannock Chase has a responsibility to reduce the risk of wildfire, but individual responsibility must be supported by clear public information and effective enforcement.
- The use of high-risk items and activities in areas vulnerable to wildfire can create a huge risk to our environment and emergency services, and appropriate restrictions should be put in place where necessary.
- Our District should not wait for further devastating fires before taking action. There is an opportunity to strengthen prevention and learn from areas that have already experienced significant wildfire problems.
- The experience of High Peak Borough Council in tackling wildfires in the Peak District demonstrates that local authorities can take practical action to reduce wildfire risk.
- The forthcoming national wildfire summit should be used to press for greater national support for wildfire prevention, preparedness, equipment, staffing and funding, but national action must complement action locally.

This Council resolves to:

- Call on the Cabinet to bring forward a Public Space Protection Order (PSPO) to cover all parts of the Chase that fall within the Cannock Chase District, introducing proportionate restrictions on high-risk activities and items that could contribute to the starting or spread of wildfires, subject to the appropriate legal and evidential requirements.
- Engage with High Peak Borough Council to learn from its experience of tackling wildfires in the Peak District and identify measures that could be applied in our District.

- Place on record its thanks and appreciation to Staffordshire Fire and Rescue Service, its firefighters and Police, farmers, landowners, volunteers for their professionalism, bravery and dedication in responding to these incidents and protecting communities across our District.
- Work with the Fire and Rescue Service, Staffordshire Police, farmers, landowners, community groups and other relevant partners to improve public awareness of wildfire risks and the actions visitors and residents can take to prevent fires.

This Motion is based on a Motion brought forward by High Peak Borough Council.
