



Cannock Chase Council

Council Meeting

Wednesday 15 February 2023 at 6:00pm

Meeting to be held in the Council Chamber, Civic Centre, Cannock

Part 1

Copies of the relevant budget reports considered by Cabinet can be viewed on the [26 January 2023 Cabinet](#) meeting page on the Council's website.

The relevant Cabinet resolutions from that meeting are attached as an Appendix to this Agenda.

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 meeting held on 18 January 2023, Minute Numbers 55 – 66; Page Numbers 36 – 44.
- 4. Housing Revenue Account Budgets and Capital Programmes 2022/23 to 2025/26: Cabinet Resolutions**

Council is requested to consider recommendations referred from the Cabinet meeting held on 26 January 2023, in respect of:

 - (i) Housing Revenue Account Budgets 2022/23 to 2025/26.
 - (ii) Housing Revenue Account Capital Programmes 2022/23 to 2025/26.

5. 2023/24 to 2025/26 Budget Process Procedural Rules

Joint Report of the S151 Officer & Deputy Chief Executive and the Council Solicitor (Item 5.1 – 5.6).

6. Budgets 2023 to 2026: Cabinet Resolutions

Council is requested to consider recommendations referred from the Cabinet meeting held on 26 January 2023, in respect of:

- (i) General Fund Revenue Budget and Capital Programme 2023-2026.

(Revised Appendices 2, 3, and 6 of the Report considered by Cabinet on 26 January 2023 are enclosed as Item No. 6.45, 6.46, and 6.56 (as per the original Report numbering.)

- (ii) Local Council Tax Reduction Scheme 2023-24.

The Council Tax Resolution will be submitted to the 1 March 2023 Council meeting following the final agreement of the budget and receipt of all relevant Precepts.

In accordance with paragraph 2.3 of the Budget and Policy Framework Procedure Rules, consideration will also be given to any valid alternative proposals presented by Political Groups and individual Council Members as a referral back to Cabinet.

Any alternative balanced budget proposals submitted to the Chief Executive by the deadline of 4:00pm, Tuesday 7 February 2023 will be circulated to all Members by 4:00pm, Wednesday 8 February 2023.



T. Clegg
Chief Executive

7 February 2023

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 Taxpayers, 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 Council Chamber, Civic Centre, Cannock
On Wednesday 18 January 2023 at 6:00 p.m.

Part 1

Present: Councillors:

Buttery, M.S. (Chair)	
Jones, P.G.C. (Vice-Chair)	
Arduino, L.	Kenny, B.
Boucker, A.S.	Kraujalis, J.T.
Cartwright, S.M.	Kruskonjic, P.
Dunnett, A.J.	Lyons, N.
Elson, J.S.	Lyons, O. (Leader)
Fisher, P.A.	Molineux, G.N.
Fitzgerald, A.A.	Muckley, A.M.
Foley, D.	Newbury, J.A.A.
Frew, C.L.	Pearson, A.R.
Haden, P.K.	Prestwood, J.
Hoare, M.W.A.	Sutherland, M.
Hughes, R.J.	Theodorou, P.C.
Johnson, J.P.	Thompson, S.L.
Johnson, T.B.	Thornley, S.J.
Jones, B.	Wilson, L.J.
Jones, P.T.	Woodhead, P.E.
Jones, V.	

Before the formal business of the meeting commenced, the Chair welcomed new Councillor D. Foley, who had recently been elected to the Etching Hill and The Heath ward.

55. Apologies

Apologies were submitted for Councillors J.T. Bancroft, A. Beach, S.K. Crabtree, P. Johnson, J.B. McMahon, and J.P.T.L. Preece.

56. 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.

57. Minutes

Resolved:

That the Minutes of the meetings held on 16 November and 7 December 2022 be approved as a correct record.

58. Chair's Announcements and Correspondence

None.

59. Leader's Announcements and Correspondence

(i) Car Thefts

Cannock Chase Council and Staffordshire Police were calling on residents to be extra vigilant following a recent spate of car thefts.

Several cars had been stolen within the District, along with similar thefts in Lichfield District, South Staffordshire District and Tamworth Borough; particularly during cold weather when cars were left running to defrost.

The Police had advised many of the thefts were `keyless` ones where criminals accessed the signal from car keys which were often left close to front doors and a relay device used to transmit the signal to owners' cars. The car thinks the actual key is close by and unlocks itself and allows the engine to be started.

Signal blockers could help to reduce the incidence of thefts and were being made available free of charge by the Council. They could also be bought from motoring accessory retailers and online. Keys were stored inside special pouches ('Faraday Cages') so thieves could not pick up the signal. Wrapping keys in tin foil was another means of prevention.

(ii) UK Shared Prosperity Fund

The Council had been allocated just over £3 million by the Government to invest in a range of projects that would benefit the local economy and local businesses. The funding was being allocated from the United Kingdom Shared Prosperity Fund (UKSPF) and would cover the current and next two financial years.

For Cannock Chase, the investment plan revolved around three themes, all designed to boost business activities, skills levels, and develop a thriving economy across the District. The themes covered 'communities and place', 'supporting local businesses', and 'people and skills'.

The investment would see the Council working with local communities including the District's parish and town councils, local small and medium sized enterprises, further education providers, South Staffordshire College, and Walsall College, as well as Staffordshire University, who planned to deliver a net zero pathfinder project to help businesses, transition to become carbon neutral.

A presentation on the investment plan would be taking place at Chase Golf Club on the morning of 8 February 2023 to which all Members were invited to attend.

(iii) Total Construction

The Council had welcomed the UK's leading manufacturer of prefabricated reinforced steel, bringing investment and jobs in Cannock Chase.

'Total Construction' had invested £4 million into a new 220,000 square foot facility at Walkmill Lane, in Cannock. This investment had so far created 57 jobs, with more to come in 2023. These positions would be available to local people, including long-term unemployed and modern apprenticeships. They also plan to offer training and employment opportunities to ex-offenders, as well as actively looking to create employment opportunities to ex-members of the Armed Forces.

(iv) Health and Wellbeing Workshop

Further to the "save the date" request sent to all Members last week for the Health and Wellbeing workshop on Monday 23 January, the LGA had secured the services of leading practitioners, including a leading elected member and public health specialist for the event. This was a chance for Cannock Chase to "lead the way" in Health in All Policies and perhaps become a featured case study with the LGA.

The workshop would be facilitated by a longstanding LGA associate and former Cabinet Member for Health and Wellbeing at Birmingham City Council and by a South Kesteven District and Lincolnshire County Councillor who chairs the Health and Wellbeing Board in Lincolnshire. A former Director of Public Health with 20 years of experience and award-winning work both in Bolton and nationally would provide Public Health expertise and insight.

The workshop had been designed to enable all elected members to champion health improvement and prevention in their wards and communities. We anticipate this being an energising and positive event with a chance to think about the best way for the Council and all members to strategically support our residents' health and wellbeing.

60. Appointment of Chairs of Committees 2022/23

The Leader of the Council moved that Councillor C.L. Frew be appointed Chair of the Responsible Council Scrutiny Committee for the remainder of the 2022/23 municipal year, in place of Councillor J.B. McMahon.

Resolved:

That Councillor C.L. Frew be appointed Chair of the Responsible Council Scrutiny Committee for the remainder of the 2022/23 municipal year in place of Councillor J.B. McMahon.

61. Council Appointed Representatives to Outside Bodies 2022/23

The Chair advised that Council was required to appoint a representative to the county committee of the Staffordshire branch of the countryside charity, CPRE, with the following nominations having been received:

- Conservative Group nominee: Councillor S.L. Thompson
- Chase Community Independents & Green Group nominee: Councillor A.M. Muckley.

Resolved:

That Councillor S.L. Thompson be appointed as the Council's representative on the county committee of the Staffordshire branch of the CPRE, for the remainder of the 2022/23 municipal year.

62. Recommendations Referred from Cabinet

Consideration was given to the following recommendations to Council, made by Cabinet at its meeting held on 20 December 2022, in respect of:

(i) Climate Emergency - Costed Action Plan and Update Briefing (Cabinet 20/12/22, Draft Minute Number 67)

"That Council, at its meeting to be held on 18 January 2023, be recommended to agree:

- (A) To revise the Council's district wide carbon neutral target and looks to align with other Staffordshire councils or regional bodies in a single (existing or new) countywide target, for the reasons detailed within the 20 December 2022 Cabinet report.
- (B) To revise the 2030 net carbon neutral target to become an organisational target only.
- (C) The principle that, to move forward with the reduction in CO₂e emissions, a dedicated budget is established during the 2023/24 budget setting process.
- (D) That a strategy for the organisation to reach net carbon zero by 2030, is prepared, costed, and brought back to Cabinet for consideration.

Councillor J.A.A. Newbury moved the following amendment to recommendation (A), which was duly seconded.

"To revise the Council's district wide carbon neutral target to 2040 and look to align our emerging Climate Action Plan with other Staffordshire councils and regional bodies."

A debate and vote then followed on the Amendment, which was lost.

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

For	Against	Abstain
Arduino, L.	Dunnett, M.J.	Cartwright, S.M.
Boucker, A.S.	Elson, J.S.	Fisher, P.A.
Buttery, M.S.	Muckley, A.M.	Foley, D.
Fitzgerald, A.A.	Woodhead, P.E.	Johnson, T.B.
Frew, C.L.		Kraujalis, J.T.
Haden, P.K.		Molineux, G.N.
Hoare, M.W.A.		Newbury, J.A.A.

For	Against	Abstain
Hughes, R.J.		Pearson, A.R.
Johnson, J.P.		Prestwood, J.
Jones, B.		Thornley, S.J.
Jones, P.T.		
Jones, P.G.C.		
Jones, V.		
Kenny, B.		
Kruskonjic, P.		
Lyons, N.		
Lyons, O.		
Sutherland, M.		
Theodorou, P.C.		
Thompson, S.L.		
Wilson, L.J.		
21	4	10

In addition, Councillors J.T. Bancroft, A. Beach, S.K. Crabtree, P. Johnson, J.B. McMahon, and J.P.T.L. Preece were absent from the meeting.

Resolved:

That:

- (A) The Council's district wide carbon neutral target be revised and aligned with other Staffordshire councils or regional bodies in a single (existing or new) countywide target, for the reasons detailed within the 20 December 2022 Cabinet report.
- (B) The 2030 net carbon neutral target be revised to become an organisational target only.
- (C) The principle that, to move forward with the reduction in CO₂e emissions, a dedicated budget be established during the 2023/24 budget setting process.
- (D) A strategy for the organisation to reach net carbon zero by 2030, be prepared, costed, and brought back to Cabinet for consideration.

63. Motions Received Under Council Procedure Rule 6

- (i) Consideration was given to the following Motion submitted in accordance with Council Procedure Rule 6 by Councillor A.M. Muckley, Deputy Leader of the Chase Community Independents and Green Group:

Local Government Association’s ‘Debate Not Hate’ Campaign

“The intimidation and abuse of councillors, in person or otherwise, undermines democracy; preventing elected members from representing the communities they serve, deterring individuals from standing for election, and undermining public life in democratic processes.

This council notes that increasing levels of toxicity in public and political discourse are having a detrimental impact on local democracy and that prevention, support and responses to abuse and intimidation of local politicians must improve to ensure councillors feel safe and able to continue representing their residents.

This council further notes that the Local Government Association (LGA) campaign, Debate Not Hate, has received support from across the political spectrum. This includes a supporting public statement being signed by the Conservative, Liberal Democrat, Labour and Independent (incorporating Greens) Vice-Chairs of the LGA as well as representatives from bodies such as the National Association of Local Councils, Compassion in Politics, the Local Government Information Unit, and the National Hate Crime Awareness Week.

This council therefore commits to challenge the normalisation of abuse against councillors and uphold exemplary standards of public and political debate in all it does. The council further agrees to sign up to the LGA’s Debate Not Hate campaign. The campaign aims to raise public awareness of the role of councillors in local communities, encourage healthy debate and improve the response to and support for local politicians facing abuse and intimidation.

This Council believes that:

1. Debating and disagreement is a fundamental part of a healthy democracy, and that this should always be done with respect.
2. It is a privilege to be elected to public office and comes with the responsibility of representing everyone, regardless of how they voted and anyone, regardless of their background or political affiliation, should feel safe to become a councillor and be proud to represent their community.

As Councillors we resolve to:

- Promote diversity and inclusion ahead of next year’s 2023 Local Elections and beyond, including diversity of thought through publicly condemning politically-fuelled abusive behaviour.
- Lead by example by participating in a vigorous yet healthy debate both inside and out of the council chamber. This includes but is not limited to: listening to and not talking over one another when members are speaking; not using abusive or derogatory language towards one another; not standing up and leaving the chamber whilst members are speaking without first seeking permission of the Chair; being open and honest in statements made in our capacity as a councillor; and generally being respectful to one another, even when there are political disagreements.
- When chairing meetings, ensure that they are conducted in accordance with these principles.

In addition, Cannock Chase District Council resolves to:

- Write to our local Member of Parliament to ask her to support the campaign.

- Write to the Parliamentary Under-Secretary of State for Local Government and Building Safety to ask them to work with the LGA to develop and implement a plan to address abuse and intimidation of politicians.
- Regularly review the support available to councillors in relation to abuse and intimidation and councillor safety.
- Work with the local police to ensure there is a clear and joined-up mechanism for reporting threats and other concerns about the safety of councillors and their families.
- Take a zero-tolerance approach to abuse of councillors and officers.

The following Amendment was moved by Councillor O. Lyons, which was duly seconded:

“I propose that we retain the text up until it states ‘As Councillors we resolve to’ on page two. I propose it instead reads ‘As a Council we resolve to’:

- Show our support for the Debate Not Hate campaign.
- Adopt a tailored approach and ask that the relevant Council Scrutiny Committee review the existing support available, the reporting mechanisms in place and identify if further improvements are required.”

A debate and vote then followed on the Amendment, which was passed.

The Amendment therefore formed part of the substantive Motion.

A vote was then taken on the substantive Motion, as amended.

Resolved:

That the Council:

- (A) Show its support for the ‘Debate Not Hate’ campaign.
- (B) Adopts a tailored approach and ask that the relevant Council Scrutiny Committee review the existing support available, the reporting mechanisms in place and identify if further improvements are required.

- (ii) Consideration was given to the following Motion submitted in accordance with Council Procedure Rule 6 by Councillor J.A.A. Newbury, Deputy Leader of the Opposition:

‘Great Homes Upgrade’

“This council believes that a green recovery from the COVID-19 pandemic is not only possible but is essential if we are to meet our net zero ambitions for us as a local authority, and for our district. However, we recognise that concrete policies and further investment from central government is needed to turn our hopes and our rhetoric into action.

“This council notes that the global effects of climate change can often seem like someone else’s crisis when many are taking effect so far from our homes. However, we also note that crises closer to home affecting thousands of local families cannot be separated from those further afield. Here in the Cannock Chase District, according to the most recent data from National Energy Action, there are 7,246 households living in fuel poverty; that is 16.5% of all households compared to the national average of 13.2%. We note that the situation has become far worse over the last year with an estimated one in four households nationally planning to not switch their heating on at all this winter.

“This council believes that there is no route to net zero without retrofitting the more than 24 million homes leaking heat across the UK. Boosting energy efficiency would not only help us to decarbonise, but can also improve housing conditions, lower energy bills, and create hundreds of thousands of good quality jobs. Here in Cannock Chase, 61% of Energy Performance Certificates created since 2008 have been in bands D to G, below the Government’s 2035 target for all properties; a further 25% were at band C.

“This council therefore resolves to write to the Prime Minister and Secretary of State calling on them to introduce a Great Homes Upgrade, committing to retrofit 19 million homes by 2030. We also call on the Chancellor to use the Spring Budget to commit to spending £11.7 billion over the next three years to begin a Great Homes Upgrade. We call for the Government set up a retrofitting taskforce to target resources now to help achieve net zero through a major retrofitting programme. We also commit to writing to other local authorities in Staffordshire to ask them to join this campaign.”

The following Amendment to the Motion was moved by Councillor Muckley, which was duly seconded:

“This council therefore resolves to write to the Prime Minister and Secretary of State calling on them to provide funding to retrofit homes in the UK and consider the Great Homes Upgrade scheme which commits to retrofit 19 million homes by 2030. We also call on the Chancellor to use the Spring Budget to commit to spending £11.7 billion over the next three years to begin helping to retrofit homes across the country. We call for the Government set up a retrofitting taskforce to target resources now to help achieve net zero through a major retrofitting programme. We also commit to writing to other local authorities in Staffordshire to ask them to join us in lobbying for funding for retrofitting homes.”

A debate and vote then followed on the Amendment, which was lost.

A vote was then taken on the substantive Motion, which was lost.

Resolved:

That the Motion not be approved.

64. Joint Appointments Committee

Consideration was given to the Report of the Leader of the Council (Item 10.1 - 10.4).

Resolved:

That:

- (A) A Joint Appointments Committee be set up in accordance with the terms of reference set out in the Appendix to the Report.
- (B) The following Councillors be appointed to the Committee in accordance with the agreed terms of reference:
 - (i) Conservative Group: Councillors O. Lyons and B. Jones.
 - (ii) Labour Group: T.B. Johnson (substitute appointee Councillor J.A.A. Newbury).
- (C) Any members of the senior management team employed by the Council be allowed to be placed at the disposal of Stafford Borough Council for the purpose of carrying out any functions agreed under shared services arrangements.

65. Local Boundary Review Working Group Proposals to the Local Government Boundary Commission for England for a New Pattern of Wards in Cannock Chase

Consideration was given to the Report of the Head of Governance and Corporate Services (Item 11.1 - 11.4).

Resolved:

That the following proposals be approved for recommendation to the Local Government Boundary Commission for England ('the Commission') as a Council submission in response to the Commission's proposals for a new pattern of wards in Cannock Chase:

- (A) **Cannock South / West wards:** move the proposed Manor Avenue / Danilo Road / Newhall Street / High Green Court boundary up to the southern side of Park Road, to its junction with Dartmouth Road. This would bring the Cannock town centre area entirely within the Cannock South ward and have minimal impact in terms of elector numbers given the small number of residential properties within the area concerned.
- (B) **Cannock North / West wards:** Sankey Road, Hardie Green, and Smillie Place be moved into Cannock North ward (currently proposed to be in Cannock West ward). The proposed boundary line be moved to Common Lane / Heath Gap Road / Cannock Road, up to the junction with Old Fallow Road. Residents in these areas strongly identified with the Chadsmoor community and this was borne out by their proximity to the centre of Chadsmoor (0.3 of a mile). This was consistent with the original Council proposal submitted to the Commission.
- (C) **Ward names:**
 - (i) Chadsmoor (instead of Cannock North).
 - (ii) Cannock Park and Old Fallow (instead of Cannock West).
 - (iii) Cannock, Longford and Bridgtown (instead of Cannock South).

66. 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 8:42 p.m.

Chair

Cannock Chase Council

**Extract from Minutes of the Meeting of the
Cabinet**

Held on Thursday 26 January 2023 at 6:00 p.m.

In the Esperance Room, Civic Centre, Cannock

In Respect of Budget Resolutions:

Housing Revenue Account and General Fund

**(NB: The Minutes are presented in the order in which they will be considered at
Council on 15 February 2023)**

Part 1

Present:

Councillors:

Lyons, O.	Leader of the Council
Jones, B.	Deputy Leader of the Council and Community Safety & Partnerships Portfolio Leader
Sutherland, M.	District and High Street Development Portfolio Leader
Johnson, J.P.	Environment and Climate Change Portfolio Leader
Jones, V.	Health, Wellbeing, and Community Engagement Portfolio Leader
Fitzgerald, A.A.	Housing, Heritage, and Leisure Portfolio Leader
Hughes, R.J.	Innovation and Resources Portfolio Leader

72. Apologies

None received.

Housing Revenue Account

82. Housing Revenue Account Budgets 2022-23 to 2025-26

Consideration was given to the Joint Report of the Head of Housing & Partnerships and S151 Officer & Deputy Chief Executive (Item 11.1 - 11.6).

Resolved:

That:

- (A) The revised position with regard to estimated income and expenditure for the 2022-23 Housing Revenue Account and budgets for the period 2023-24 to 2025-26 as summarised in Appendix 1 of the report, be noted.
- (B) Council, at its meeting to be held on 15 February 2023, be recommended to:

- (i) Determine a minimum level of working balances of £2.078 million for 31 March 2024, and indicative working balances of £2.135 million and £2.192 million for 31 March 2025 and 2026, respectively.
- (ii) Approve the Housing Revenue Account Revenue Budgets for 2023-24, 2024-25 and 2025-26 (and note the forecast outturn for 2022-23) as summarised in report Appendix 1.

Reasons for Decisions

Cabinet was required to propose a budget in relation to the Housing Revenue Account for submission to Council on 15 February 2023.

83. Housing Revenue Account Capital Programmes 2022-23 to 2025-26

Consideration was given to the Joint Report of the Head of Housing & Partnerships and S151 Officer & Deputy Chief Executive (Item 12.1 - 12.6).

Resolved:

That:

- (A) The estimated availability of Housing Revenue Account capital resources for the period 2022-23 to 2025-26, as set out in report Appendix 1, be noted.
- (B) Council, at its meeting to be held on 15 February 2023, be recommended to approve the Housing Revenue Account Capital Programme for the period 2022-23 to 2025-26, as set out in report Appendix 2.

Reasons for Decisions

Cabinet was required to propose a budget in relation to the Housing Revenue Account for submission to Council on 15 February 2023.

Joint Report of:	S151 Officer & Deputy Chief Executive Council Solicitor & Monitoring Officer
Contact Officers:	Chris Forrester Ian Curran
Contact Numbers:	01543 464 334 01785 619 220
Portfolio Leader:	Leader of the Council
Report Track:	Council: 15/02/23

**Council
15 February 2023
2023/24 to 2025/26 Budget Process Procedural Rules**

1 Purpose of Report

- 1.1 To confirm to Members the timetable and procedural issues for determining the Budget and overall levels of Council Tax for 2023-24.

2 Recommendation(s)

- 2.1 That Council notes the timetable for the setting of the budget for 2023-24.
- 2.2 That the overall level of Council Tax will be set at Council's meeting on 1 March 2023, following determination of Cannock Chase's Council Tax requirement in accordance with the procedural rules (attached at Appendix 1).

3 Key Issues and Reasons for Recommendations

Key Issues

- 3.1 In setting a budget for any year the Council must comply with the Budget and Council Tax setting requirements as reflected in the Local Government Finance Act, 1992 as amended by the Localism Act, 2011.
- 3.2 In accordance with regulations the Council is required to:
- a) Calculate its Council Tax Requirement (Section 31A) – Replacing budget requirement (Section 32) and determination of the District Council element of Council Tax (Section 33).

- b) Set the overall level of Council Tax inclusive of Staffordshire County Council; the Staffordshire Commissioner for Police, Fire & Rescue and Crime; and other precepts (Section 30).

Reasons for Recommendations

- 3.3 The overall level of Council Tax must be set before 11 March each year; however, the overall level of Council Tax cannot be set before 1 March 2023 unless all precepting authorities have issued their precepts, and the required calculations in accordance with the Local Government Finance Act, 1992 have been determined.
- 3.4 The budget timetable reflects these arrangements and provides sufficient time between Budget Council Meetings to enable both Cabinet and Council time to undertake their duties if a budget was referred back to Cabinet and to enable the necessary calculations to be undertaken following receipt of Precepts.
- 3.5 The 2022-23 Calendar of meetings timetable being as follows:
- Council (Budget) 15 February 2023
 - Cabinet (Provisional) 16 February 2023
 - Council 1 March 2023
- 3.6 Appendix 1 details the procedure for Council in relation to approving Cannock Chase Council's Budget and Council Tax Requirement.

4 Relationship to Corporate Priorities

- 4.1 Not applicable.

5 Report Detail

- 5.1 In setting a budget for any year the Council must comply with the Budget and Council Tax setting requirements as reflected in the Local Government Finance Act 1992 as amended by the Localism Act 2011.
- 5.2 The Localism Act 2011 made significant changes to the 1992 Act with the main impact for setting a Council Tax being that a billing authority (Cannock Chase Council) is required to calculate a Council Tax Requirement rather than a Budget Requirement.
- 5.3 In accordance with regulations the Council is required to:
- a) Calculate its Council Tax Requirement (Section 31A) – Replacing budget requirement (Section 32) and determination of the District Council element of Council Tax (Section 33).
 - b) Set the overall level of Council Tax inclusive of Staffordshire County Council; the Staffordshire Commissioner for Police, Fire & Rescue and Crime; and other precepts (Section 30).
- 5.4 The determination of the Council Tax Requirement (Requirement (a)) is a function of all authorities, however, Requirement (b) is purely a function of this Council as a billing authority.

- 5.5 The overall level of Council Tax must be set before the 11 March each year; however, the overall level of Council Tax cannot be set before 1 March 2023, unless all precepting authorities have issued their precepts, and the required calculations in accordance with the Local Government Finance Act 1992, have been determined.
- 5.6 As at the date of writing this report most of the Parish Precepts have been formally received and the Major Precepting Authorities are due to determine their precepts as follows:
- Staffordshire County Council: 9 February 2023

A separate approval process exists in relation to the Office of the Staffordshire Commissioner for Police, Fire & Rescue and Crime; however, it is expected this will be received in advance of the Council Tax setting meeting of 1 March 2023.

6 Implications

6.1 Financial

The financial implications have been referred to throughout the report.

6.2 Legal

The legal implications have been referred to throughout the report.

6.3 Human Resources

None.

6.4 Risk Management

None.

6.5 Equality & Diversity

None.

6.6 Climate Change

None.

7 Appendices to the Report

Appendix 1: Budget and Policy Framework Procedure Rules (Part 4, Section 29, of the Council's Constitution).

Previous Consideration

None.

Background Papers

None.

Constitution Part 4, Section 29 – Budget and Policy Framework Procedure Rules

Process for Developing the Framework

- 1.1 The Council will be responsible for the adoption of its budget and policy. Once a budget or a policy framework is in place, it will be the responsibility of the Executive to implement it.

Pre-Adoption Policy

- 2.1 The Cabinet shall publicise in the Council's Annual Schedule of Meetings a timetable for making proposals to the Council for the adoption of any plan, strategy or budget that forms part of the budget and policy framework, and its arrangements for consultation after publication of those initial proposals. The Scrutiny Committee that has 'budget consultation' within its terms of reference, and the Shadow Cabinet, shall be consulted as part of this process.
- 2.2 At the end of the consultation period, the Cabinet will draw up firm proposals having regard to the responses received. The Managing Director (as Proper Officer) shall summons a Council meeting (called the First Council meeting) to consider the Cabinet proposals within 10 working days after the Cabinet have resolved on its proposals.
- 2.3 At least 5 working days prior to the First Council meeting any Political Group and/or any member of the Council shall advise the Managing Director of any alternatives to the Cabinet proposals which are to be presented at the First Council meeting. Each Political Group/Council Member shall only present one alternative proposal as a request for a referral back to the Cabinet by the Council. Such requests shall detail the reasons for the alternative/referral back to Cabinet and must have the effect of providing the Council with a "balanced budget" as determined by the S.151 officer. Any alternative proposals submitted will be circulated to all Councillors 4 working days before the First Council meeting.

The First Council Meeting

- 2.4 In reaching a decision, the Council may:-
 - (a) Adopt the Cabinet's proposals as presented.
 - (b) Consider the previously advised alternative proposals (referred to in 2.3 above) as a request for a referral back of the proposals to the Cabinet for consideration.
 - (c) Following advice from the S.151 officer, approve and/or determine aspects of the Budget/Policy framework as required to comply with statutory requirements and/or Ministerial/Governmental guidance/requirements. The S.151 officer will advise the Council at the meeting of the minimum decisions and resolutions the Council must make at that meeting.
 - (d) When considering the alternative budgets referred to in 2.4 (b) the Council shall consider each alternative budget presented by the Political Group/Council

Members individually. Each alternative proposal shall be moved and if seconded shall be debated. At the conclusion of the debate on that individual motion a vote shall be taken as to whether the Council wishes to refer that alternative proposal to the Cabinet for consideration. This process shall apply to each alternative proposal in turn. No amendments to the alternative proposals previously advised (in accordance with 2.3) shall be allowed.

- 2.5 Where the Council resolves in accordance with paragraph 2.4(b) to refer alternative proposals back to the Cabinet for re-consideration, the Proper Officer shall make the necessary arrangements for the Cabinet to meet as soon as practicably possible and will also summons a Second Council meeting (the Second Council meeting) to consider the Cabinet's response to the matters referred back to it for consideration. The Second Council meeting shall take place within 10 working days of the First Council meeting.

The Second Council Meeting

- 2.6 The Managing Director will call a Council meeting (the Second Council meeting) to consider:-
- (a) the Cabinet proposals following the referral back from the First Council meeting;
 - (b) adopting (with or without modification) the plan or strategy;
 - (c) such decisions required to comply with statutory requirements and/or Ministerial/ Governmental guidance/requirements as advised by the S.151 Officer.
- 2.7 At the Second Council meeting where there is no consensus on the matters before Council and the S.151 Officer advises that the Council is required to make decisions in accordance with 2.6(c) above, the Council shall continue to meet until such matters (as specified by the S.151 Officer) are determined. Council Procedure Rules shall apply to this meeting. The Council shall only consider the Cabinet's Budget and those alternative proposals presented to the Council for consideration at the First Council meeting.

(Note: An example of a requirement to pass a resolution in law as advised by the S.151 officer may include the setting of a lawful budget by a certain date, or the determination of the Council Tax).

- 2.8 In approving the budget and policy framework, the Council will also specify if it wishes to limit the extent of virement within the budget in any way other than that specified in financial regulations, and the degree of in-year changes to the policy framework which may be undertaken by the Cabinet, in accordance with section 4 of these Rules (in-year adjustments). Any other changes to the policy and budgetary framework are reserved to the Council.

Decisions Outside the Budget or Policy Framework

- 3.1 Subject to the provisions of financial regulations, the Executive and any officers discharging executive functions may only take decisions which are in line with the budget and policy framework. If any of these bodies or persons wishes to make a decision which is contrary to the policy framework, or contrary to or not wholly in

accordance with the budget approved by full Council, then that decision may only be taken by the Council, subject to sections 3.2 – 3.4 below.

Emergency Provisions

- 3.2 The Executive or an Officer may only take a decision which is contrary to the Council's policy framework or contrary to or not wholly in accordance with the budget approved by full Council if the decision is a matter of urgency, and:
 - (a) it is not practical to convene a quorate meeting of the full Council; and
 - (b) the Chairman or, in the Chairman's absence, the Vice-Chairman of the Scrutiny Committee agrees, in writing, that the decision is a matter of urgency.
- 3.3 The reasons why it is not practical to convene a quorate meeting of full Council and the chair of the scrutiny committee's consent to the decision being taken as a matter of urgency must be noted on the record of the decision.
- 3.4 Following the decision, the decision taker will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.
- 3.5 Failure to comply with these provisions will render the decision liable to the Call-in procedure (Part 4 - Section 31)

In-year Changes to Policy Framework

- 4.1 The responsibility for agreeing the budget and policy framework lies with the Council, and decisions by the Executive and officers must be in line with it. No changes to the policy framework may be made by the Executive or officers except those changes:
 - (a) which will result in the closure or discontinuance of a service or part of service to meet an approved budgetary constraint only (as opposed to a Policy change);
 - (b) which are necessary to ensure compliance with the law, ministerial direction, or government guidance;
 - (c) where the existing policy document is silent on the matter under consideration.

Capital Programme 2022-23 to 2025-26

	Total Programme Revised £000	General Fund £000	Section 106 £000
LEADER			
New Council Website	70	70	-
Total Leader	70	70	-
ENVIRONMENT & CLIMATE CHANGE			
Wheelie Bin Replacement	345	345	-
Total Environment & Climate Change	345	345	-
COMMUNITY SAFETY AND PARTNERSHIPS			
CCTV	67	67	-
Total Community Safety and Partnerships	67	67	-
HOUSING, HERITAGE & LEISURE			
Disabled Facilities Grants	6,054	6,054	-
Additional Cemetery Provision	30	30	-
Home Security Grants	30	30	-
Stile Cop Cemetery Modular build	60	60	-
Hednesford Park Improvements (part s106 funding)	174	155	19
Stadium Development (Phase 2)	389	-	389
Relocation Arthur Street Play Area (s106)	3	-	3
Laburnum Avenue MUGA Phase 1	582	-	582
Heath Hayes Park/Pitch Refurbishment	115	-	115
Play Area and Open Space Penny Cress Green	36	2	34
Rugeley ATP	133	62	71
Cannock East (CIL)	122	-	122
Commonwealth Games Legacy	50	50	-
Rugeley Swimming Pool	9	9	-
Rugeley LC Boiler	6	6	-
Play Areas Developments & Refurbishments	109	109	-
Barnard Way Play Area	97	9	88
Infrastructure Fencing Parks and Open Spaces	51	51	-
Replacement Vehicles Parks and Open Spaces	151	151	-
Wellington Drive Park and Open Space	118	-	118
Elmore Park Toilets	110	110	-
Total Housing, Heritage & Leisure	8,429	6,888	1,541
DISTRICT & HIGH STREET DEVELOPMENT			
Levelling Up Fund	44,045	44,045	-
Lets Grow Grants	38	38	-
Bridges and Boardwalk	110	26	84
Cycle Storage & CCTV	6	-	6
Chadsmoor Infant & Nursery Modular build (CIL)	162	-	162
Five Ways Primary Modular build (CIL)	160	-	160
Etching Hill CE Primary Modular build (CIL)	393	-	393
John Bamford Primary Modular build (CIL)	173	-	173
Rugeley Train Station Access (CIL)	162	-	162
Total District & High Street Development	45,249	44,109	1,140
INNOVATION & RESOURCES			
Hawks Green Rationalisation	9	9	-
Total Innovation & Resources	9	9	-
TOTAL CAPITAL PROGRAMME	54,169	51,488	2,681

General Fund and Section 106 Capital Budgets 2022-23 to 2025-26

	2022/23 Revised £000	2023/24 £000	2024/25 £000	2025/26 £000	Approved £000
LEADER					
New Council Website	70	-	-	-	-
Total Leader	70	-	-	-	-
ENVIRONMENT & CLIMATE CHANGE					
Wheelie Bin Replacement	105	80	80	80	-
Total Environment & Climate Change	105	80	80	80	-
COMMUNITY SAFETY AND PARTNERSHIPS					
CCTV	-	-	-	-	67
Total Community Safety & Partnerships	-	-	-	-	67
HOUSING, HERITAGE & LEISURE					
Disabled Facilities Grants	1,881	1,451	1,051	1,051	620
Additional Cemetery Provision	30	-	-	-	-
Home Security Grants	20	10	-	-	-
Stile Cop Cemetery Modular build	-	60	-	-	-
Hednesford Park Improvements (part s106 funding)	-	-	-	-	174
Stadium Development (Phase 2)	125	264	-	-	-
Relocation Arthur Street Play Area (s106)	-	-	-	-	3
Laburnum Avenue MUGA Phase 1	385	197	-	-	-
Heath Hayes Park/Pitch Refurbishment	-	-	-	-	115
Play Area and Open Space Penny Cress Green	36	-	-	-	-
Rugeley ATP	133	-	-	-	-
Cannock East (CIL)	-	-	-	-	122
Commonwealth Games Legacy	50	-	-	-	-
Rugeley Swimming Pool	9	-	-	-	-
Rugeley LC Boiler	6	-	-	-	-
Play Areas Developments & Refurbishments	59	50	-	-	-
Barnard Way Play Area	-	97	-	-	-
Infrastructure Fencing Parks and Open Spaces	51	-	-	-	-
Replacement Vehicles Parks and Open Spaces	151	-	-	-	-
Wellington Drive Park and Open Space	118	-	-	-	-
Elmore Park Toilets	110	-	-	-	-
Total Housing, Heritage & Leisure	3,164	2,129	1,051	1,051	1,034
DISTRICT & HIGH STREET DEVELOPMENT					
Levelling Up Fund	1,900	-	-	-	42,145
Lets Grow Grants	23	15	-	-	-
Bridges and Boardwalk	110	-	-	-	-
Cycle Storage & CCTV	6	-	-	-	-
Chadsmoor Infant & Nursery Modular build (CIL)	-	-	-	-	162
Five Ways Primary Modular build (CIL)	-	-	-	-	160
Etching Hill CE Primary Modular build (CIL)	-	-	-	-	393
John Bamford Primary Modular build (CIL)	-	-	-	-	173
Rugeley Train Station Access (CIL)	-	-	-	-	162
Total District & High Street Development	2,039	15	-	-	43,195
INNOVATION & RESOURCES					
Hawks Green Rationalisation	9	-	-	-	-
Total Innovation & Resources	9	-	-	-	-
TOTAL CAPITAL PROGRAMME	5,387	2,224	1,131	1,131	44,296

Other General Fund Earmarked Reserves

	31/03/2023	31/03/2024	31/03/2025	31/03/2026
Revenue	£'000	£'000	£'000	£'000
Building Maintenance Reserve	656	608	608	608
Bond	298	308	319	330
Budget Support	182	179	179	179
Contingency	1,554	1,529	1,529	1,529
Corporate	356	670	505	340
Partner	80	80	80	80
Ring fenced	116	116	116	116
Service Grant	92	92	92	92
Rollovers	155	155	155	155
Shared Services	549	549	549	549
Other	3,184	2,039	2,023	2,005
Donations	6	6	6	6
Grants	1,939	1,833	1,723	1,610
Trading	144	144	144	144
Section 106	2,033	2,017	2,000	1,983
Sub Total	11,344	10,325	10,028	9,726
Capital				
Capital	942	826	735	735
CIL	2,589	2,040	2,040	2,040
RCCO	14	14	14	14
Earmarked	1,108	1,108	1,108	1,108
Sub Total	4,653	3,988	3,897	3,897
Grand Total	15,997	14,313	13,925	13,623

Extract from Minutes of the Meeting of Cabinet continued**General Fund****77. General Fund Revenue Budget and Capital Programme 2023-26**

Consideration was given to the Report of the S151 Officer & Deputy Chief Executive (Item 6.1 - 6.62).

Resolved:

That the following be recommended to Council at its meeting to be held on 15 February 2023:

- (A) The Budget requirement for the General Fund Revenue Budget for 2023-24 be set at £14.941 million.
- (B) The indicative General Fund Revenue Budgets for 2024-25 be set at £14.592 million and for 2025-26 be set at £15.396 million.
- (C) The budget pressures, savings, and income generation set out in report paragraphs 5.4 to 5.6 be approved.
- (D) The General Fund working balance be set at a minimum of £1 million.
- (E) The detailed capital programme as set out in report Appendices 2 and 3 be approved, along with the Community Infrastructure Levy allocations as set out in report Appendix 4.
- (F) The Council Tax for 2023-24 be increased by 2.99% to £236.92.
- (G) The Council's Tax Base be set at 33,543.50 (as determined by the S151 Officer reducing the tax base of 34,438.92 to reflect the collection rate).
- (H) Note that the inflation parameter for fees and charges for 2023-24 was generally set at 5%.
- (I) The detailed portfolio budgets as set out in report Appendix 1 be approved.

Reasons for Decisions

The report set out the current position on the General Fund Revenue Budget for 2023-24 and indicative budgets for 2024-25 to 2025-26. It took into account the Local Government Finance Settlement 2023-24, New Homes Bonus Grant allocation, the position on the Council's Collection Fund, the Council's Tax Base for 2023-24 and the consequential Council Tax for 2023-24.

The budget for 2023-24 was based on the estimated outturn position for 2022-23, which had been updated to reflect known changes and estimates for 2023-24.

Indicative budgets had been set out for 2024-25 and 2025-26 which included the key issues which it was anticipated would have a potential impact on the Council's finances. However, it should be noted that there were substantial uncertainties regarding the central Government policy for local government finance. There was a significant risk to the council's financial position in 2025-26 should the business rates reset take place. It could not be assumed that support would be provided to manage this reduction in resources by central government at this time. The Council was still operating with a one-year financial settlement.

78. Local Council Tax Reduction Scheme 2023/24

Consideration was given to the Report of the S151 Officer & Deputy Chief Executive (Item 7.1 - 7.12).

Resolved:

That:

- (A) Council, at its meeting to be held on 15 February 2023, be recommended to approve the removal of the 80% cap for working-aged claimants, in respect of the Local Council Tax Reduction scheme for 2023-24 only.
- (B) Authority be delegated to the S151 Officer to make incidental changes to the scheme where such changes did not impact on the Council's budget or policies and were necessary to ensure that claimants' entitlement to Local Council Tax Reduction was not reduced by receipt of payments made that were intended to assist with cost-of-living and energy bill increases.

Reasons for Decisions

Working aged claimants of Local Council Tax Reduction (LCTR) who were not the parents of children under 5 and were not disabled were subject to an 80% cap in the amount of reduction available to them. The report recommended the removal of that cap so that these claimants could receive up to 100% reduction for the 2023-24 year.

The Council needed the ability to ensure that any changes to the benefit schemes made in the future, which were intended to deal with specific issues such as increases in the cost of living, did not negatively impact on claimants' entitlement to reduction. Delegated authority was therefore sought for the Chief Financial Officer to respond to changes as necessary.

A full review of the LCTR scheme would be undertaken in 2023, with any improvements identified being reported to Members.