

## CABINET

Wednesday, 11th November, 2015

**Present:-** Councillor Elizabeth Shenton – in the Chair  
Councillors Beech, Kearon, Turner, Williams and Rout

### 1. APOLOGIES

Apologies were received from Councillor Bert Proctor.

### 2. MINUTES

**Resolved:** That the minutes of the meeting held on 16 September, 2015 be agreed as a correct record.

### 3. DECLARATIONS OF INTEREST

There were no declarations of interest stated.

### 4. MEDIUM TERM FINANCIAL STRATEGY 2016/17 TO 2020/21

Consideration was given to a report providing background on the financial strategy for the Council over the next five years in light of the national and local financial situation.

The Council's Portfolio Holder for Finance, IT and Customer referred Members to page 42 of the agenda report which contained a table indicating the pressures on the revenue budget. In addition to the items listed, there were issues such as the replacement of bin lorries which needed to be taken into consideration.

There were also savings that the Council are required to make. It was stated that the Council would not be making any redundancies and services were being kept at a substantial level but unfortunately in order to maintain that, various assets would have to be sold.

The Government had stated that Authorities need to be self-sufficient by the year 2020. Councillor Kearon enquired as to how much could be gained by applying the maximum increase to Business Rates and Council Tax. The Council's Executive Director for Resources and Support Services informed Members that, as this could only be increased by 1.99%, based on current rates it could generate in the region of £124,000.

**Resolved:** That the Medium Term Financial Strategy for 2016/17 to 2020/21 be approved.

### 5. FINANCIAL AND PERFORMANCE MANAGEMENT REPORT TO END OF QUARTER TWO (JULY - SEPTEMBER) 2015

A report was submitted to Cabinet providing information on the Financial and Performance Management Report for quarter two.

Members were advised that the report had been through the Finance, Resources and Partnerships Scrutiny Committee before being brought to Cabinet.

- Resolved:**
- (i) That the contents of the report, attached to this agenda item be noted and the recommendation that the Council continues to monitor and scrutinise performance alongside the latest financial information for the same period, be agreed.
  - (ii) That the comments made through the Scrutiny process and the responses from officers and others to these comments be noted.

**6. ASSET DISPOSALS - LAND AT SHELDON GROVE, CHESTERTON**

A report was submitted to Cabinet regarding the proposed disposal of Council owned land at Sheldon Grove (The Grumbles) Chesterton.

Reverend Sue Sidebottom spoke on this item stating that it was the only area of its kind in Holditch. The site is well used and is a safe haven for children. In addition, there is a mature natural habitat for wildlife.

Councillor Sophia Snell spoke on behalf of the Holditch Residents, again stating the importance of the land for local people. Councillor Snell requested that the Cabinet present the same benefits to this area as had been given to others.

The Chair, Councillor Elizabeth Shenton had received three questions from a local resident which she read out and gave responses to:

- (1) Has the Council any evidence to suggest that this land does not come under the Open Space and Cemeteries Act, 1906?

It was confirmed that, upon examining the deed, there was no evidence to suggest this.

- (2) Why are the Council not waiting for the report to be submitted from the consultants commissioned to view this area as part of the North Staffordshire Green Space Strategy?

An assessment needed to be carried out that would update and refresh the Strategy.

- (3) Would the Council consider applying a protection order to safeguard this land?

At this point in time, no consideration had been given to this which was reflected in the Council's Asset Strategy. Some of the land would be retained for recreational purposes in the locality.

The Council's Portfolio Holder for Town Centres', Business and Assets stated that he supported the proposal subject to the following:

- (i) The retention of a significant amount of public open space.

- (ii) The placing of a covenant on the public open space, securing it for the community
- (iii) That an outline design be prepared and brought back to Cabinet for approval prior to any disposal.
- (iv) That any Planning Application be presented at a Strategic Planning Advisory Committee giving local Members the opportunity to comment.

- Resolved:**
- (i) That the principle of a partial disposal of the subject land be approved subject to the following conditions:
    - (1) That, given the location of the land and the lack of suitable green space for community use in the area, any proposal for development will include the retention of a significant amount of accessible public open space suitable for children's play space – a kick about area etc.
    - (2) That, as part of any sale, a covenant be placed on the public open space area – securing it for the community in perpetuity.
    - (3) That officers facilitate the preparation of an outline design and bring it to a future Cabinet meeting for approval, prior to any disposal.
    - (4) That, any planning application will be presented at a meeting of the Strategic Planning Advisory Committee where local Members will have the opportunity to comment on the plans.

**7. ASSET DISPOSALS - LAND AT KNYPE WAY, BRADWELL**

A report was submitted to Cabinet regarding the proposed disposal of land at Knype Way, Bradwell.

No further comments were made other than those contained within the agenda report.

- Resolved:
- (i) That the disposal of the land at Knype Way be approved, subject to having first secured outline planning permission on this area of land.
  - (ii) That the procurement of specialist consultants, to prepare and submit a planning application in respect of this site, be approved.

**8. SAFEGUARDING CHILDREN AND ADULTS AT RISK OF ABUSE AND NEGLECT POLICY**

A report was submitted to Cabinet reaffirming the Borough Council's role in safeguarding children and adults at risk of abuse.

The Council's Portfolio Holder for Safer Communities stated that the Policy, which was appended to the agenda report, was a long and complex document which had been revised and required Cabinet's approval for adoption. It was a living document linked to the wider community which warranted training sessions for everyone affected.

Councillor Ann Beech advised members that, as part of her role as County Councillor, she had received training on this subject. It had been recommended that all County Councillors attend and chase-up letters were sent to those who had not attended. Councillor Beech recommended that all Members of the Borough Council receive such training.

**Resolved:** That the revised Safeguarding Children and Adults at Risk of Abuse and Neglect Policy and accompanying procedure for introduction and delivery in the Borough be approved.

1. That the revised Safeguarding Children and Adults at Risk of Abuse and Neglect Policy and the accompanying procedure for introduction and delivery in the Borough, be approved.

**9. PLANNING PEER REVIEW**

A report was submitted to Cabinet updating Members on further progress made in implementing the proposals agreed at its meeting on 22 July, 2015.

No further comments were made on this item other than those contained within the report.

**Resolved:**

- (i) That the progress made be noted.
- (ii) That, subject to a report coming forward on the Community Infrastructure Levy, no further reports on the Action Plan be required.

**10. BILL PAYMENT SERVICES CONTRACT 2015/16 TO 2020/21**

A report was submitted to Cabinet seeking approval to enter into a Contract for the Council's bill payment contract.

No further comments were made on this item other than those contained within the report.

**Resolved:** That the contract for the Council's Bill Payment Service be awarded to allpay Limited for a five year period from 1 December, 2015.

11. **APPLICATIONS FOR DISCRETIONARY RATE RELIEF**

A report was submitted to Cabinet to consider the granting of Discretionary Rate Relief in accordance with powers contained within the Local Government Finance Act, 1988.

No further comments were made on this item other than those contained within the report.

**Resolved:** That, in accordance with Section 47 of the Local Government Finance Act 1988, Discretionary Rate Relief be either granted or refused in respect of the organisations and premises as detailed in the Appendix attached to the report on the agenda.

12. **UPDATE ON THE FUTURE OF KIDSGROVE SPORTS CENTRE**

A report was submitted to Cabinet providing an updated position statement on options available in respect of the future of Kidsgrove Sports Centre.

The Council's Portfolio Holder for Leisure, Culture and Localism welcomed the report, stating that it gave the Council the ability to take steps to ensure that adequate sporting facilities were being provided for Kidsgrove.

The County Council needed to be made aware that a firm commitment was now required giving a date when this would be going ahead in order to keep the residents of Kidsgrove informed.

**Resolved:**

*With regard to a replacement Facility:*

- (i) That Cabinet agree to the consideration of a constant depth pool of modular construction as part of a new sports centre on the school campus as an option for the development.
- (ii) That officers be authorised to enter into detailed discussions with the Penda Partnership and a suitable pool supplier with a view to establishing a business case for the development of replacement swimming pool, fitness centre and studio on the school campus.
- (iii) That a Cabinet Panel be established to provide the leadership and governance required to bring such a scheme to fruition, chaired by the Portfolio Holder for Leisure, Culture and Localism.

*With regard to extending the current agreement:*

- (iv) That it be agreed to extend the current agreement with the school and County Council for the management of Kidsgrove Sports Centre until the school takes on operational responsibility for the new education super block and sports block.

*With regard to a Community Use Agreement for School Facilities:*

- (v) That officers be authorised to hold further detailed discussions with the Head teacher and Governing Body of the Kings School with a view to developing an agreement for the community use of the astro-turf pitch, natural grass pitch and new school sports hall.

**13. NORTHERN GATEWAY DEVELOPMENT ZONE**

A report was submitted to Cabinet advising Members about a potential opportunity to establish a high-growth development zone, pre-dictated on HS2 investment in the area, supported by some form of economic partnership.

- Resolved:**
- (i) That the information provided and the actions taken to date be noted.
  - (ii) That the signing of a Concordat by the Local Enterprise Partnerships of Stoke on Trent and Staffordshire and Cheshire and Warrington be noted.
  - (iii) That the Leader and relevant Portfolio Holders and officer be authorised to engage with the emerging Northern Gateway Development Zone initiative and the potential partnership that may arise.
  - (iv) That officers report back on progress with the initiative at appropriate intervals.

**14. IMPLEMENTATION OF NEW HOUSING LEGISLATION FOR THE REDRESS SCHEME AND SMOKE/CARBON MONOXIDE ALARMS**

A report was submitted to Cabinet advising Members of new housing legislation in respect of the Redress Scheme and smoke/carbon monoxide alarms.

- Resolved:**
- (i) That the new duty placed on Local Authorities under both 'The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to belong to a scheme etc) (England) Order 2014, and The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 be noted.
  - (ii) That authorisation to investigate, take enforcement action and issue civil penalties and monetary penalties under the above legislation be delegated to the Head of Housing, Regeneration and Assets (and appropriately qualified housing officers). To report this amendment to the Scheme of Delegation to full Council.
  - (iii) That the issue of a monetary penalty or a civil penalty notice of up to £5,000 as provided for in the legislation (also referred to in this report as 'fines') for breaches of the legislation reflecting the serious consequences non-compliance can have on tenants' rights and on their safety be approved.

- (iv) That the Executive Director for Regeneration and Development in liaison with the Portfolio Holder for Planning and Housing be authorised to to revise the Housing Enforcement Policy to include the new legislation and principles used to determine the level of fine and enforcement requirements.

**15. SYRIAN VULNERABLE PERSONS RELOCATION SCHEME**

A report was submitted to Cabinet in respect of proposals to work in partnership with the County Council to deliver the Syrian Vulnerable Persons Relocation Scheme.

No further comments were made on this item other than those contained within the report.

Resolved:

- (i) That the proposals to work with Staffordshire County and other District Councils to establish referrals processes and to authorise officers to commission appropriate support packages in consultation with the Portfolio Holder for Planning and Housing be accepted.
- (ii) That the Borough Council confirms its support for the Syrian Vulnerable Persons Relocation Scheme being co-ordinated through Staffordshire County Council with the borough accepting 6 households in the first tranche.
- (iii) That subject to the delivery of the first tranche of relocation of persons qualifying under this scheme the Executive Director for Regeneration and Development in consultation with the Portfolio Holder for Planning and Housing be authorised to take forward further tranches in accordance with the processes described in this report.
- (iv) That, if the most appropriate option is to house the Syrian Refugees through a nomination with a Registered Provider (e.g. Aspire Housing), officers be authorised to make delegated decision(s) for a direct letting and for the nomination to be acknowledged as an exception to the Housing Allocation Policy.
- (v) That officers report back on progress with the scheme to a future Cabinet (by no later than June 2016).

**16. PETITION SUBMITTED TO COUNCIL TO PRESERVE THE LAND AT SANDY LANE, MAY BANK AS OPEN SPACE**

A report was submitted to Cabinet in respect of a petition which had been received to preserve land at Sandy Lane, May Bank as public open space.

Councillor Simon Tagg spoke on this item stating that a further petition containing 250 names had been acquired since the last Council meeting and that over a hundred people had written letters requesting protection of the land for leisure purposes etc.

The Council's Portfolio Holder for Town Centres' Business and Assets stated that a petition of 552 names had been reported to full Council asking for their comments to be considered by Cabinet.

Two options were outlined in the agenda report, with option one being the preferred route to take.

- Resolved:**
- (i) That the petitioners' concerns and objections be received and noted.
  - (ii) That the issues raised by Petitioners in light of previous decisions, be taken into consideration.
  - (iii) That the decision of 12 November, 2014 be reaffirmed and the disposal of this area of land be authorised subject to the securing of a residential planning permission on the site.

**17. PROPOSAL FOR SELECTIVE LICENSING**

A report was submitted to Cabinet advising on the progress of the Council's proposal for selective Licensing in the Miners Estate in Kidsgrove to address anti-social behaviour concerns and general estate management.

Councillor Margaret Astle, who spoke on this item, had researched this matter and had found it to be a harrowing experience. Crime in the area was on the increase and statistics had been acquired showing that the former mining community was one of the most deprived areas in the Borough.

An email had been sent to the Leader and Deputy Leader of the Council requesting that a meeting be arranged with a view to investigating this matter.

The Deputy Leader stated that, within the Borough, there were pockets of privately let houses owned by absent landlords which caused problems for the residents already living there. In addition, the number of times that a tenancy changed hands was on the increase.

Staffordshire Police had provided evidence that anti-social behaviour was two times greater than that of other areas within the Borough.

Members welcomed this and stated that the scheme should be rolled out as soon as possible across the Borough.

- Resolved:**
- (i) That it be agreed to take forward, in principle, a Selective Landlord Licensing Scheme for the area of Kidsgrove contained in the report known locally as the former Coal Board Estate.
  - (ii) That the area also include the shops and flats in the King Street area and the flats in the former Lamb Stores.



- (iii) That advice be sought from another local authority, which has successfully delivered a scheme, to ensure that this Council's report and action plan are robust.
- (v) That a final report be brought to Cabinet in January, 2016 with a timetable for implementation and commencing the consultation period at the beginning of February, 2016.

**18. URGENT BUSINESS**

There was no Urgent Business.

**19. DISCLOSURE OF EXEMPT INFORMATION**

**Resolved:-** That the public be excluded from the meeting during consideration if the following matter because it is likely that there will be disclosure of exempt information as defined in paragraphs 1,2, and 3 in Part 1 of Schedule 12A of the Local Government Act, 1972.

**20. LAND ADJ THE FORMER MAXIMS NIGHT CLUB, LOWER STREET, NEWCASTLE**

Consideration was given to a report on the former Maxims nightclub site and adjacent land.

**Resolved:** That the recommendation, as set out in the confidential report on the agenda, be agreed.

**COUNCILLOR ELIZABETH SHENTON**  
**Chair**