Dear Members

Cabinet

A meeting of the Cabinet will be held in the Craddock Room, Civic Centre, Riverside, Stafford on Thursday 5 March 2020 at 6.30pm to deal with the business as set out on the agenda.

Please note that this meeting will be recorded.

Members are reminded that contact officers are shown at the top of each report and members are welcome to raise questions etc in advance of the meeting with the appropriate officer.

[Signature]

Head of Law and Administration
CABINET - 5 MARCH 2020
Chair - Councillor P M M Farrington

A G E N D A

1 Minutes of 6 February 2020 as published in Digest No 264 on 7 February 2020

2 Apologies

3 Councillors’ Question Time (if any)

4 Proposals of the Cabinet Members (as follows):-

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   (i) Planning Obligations Allocation - Yarnfield 4 - 7

(b) ENVIRONMENT PORTFOLIO
   (i) Taxi Licensing Policy and Licence 8 - 12
   Conditions 2017 - Review and Amendments
   (ii) Proposals for an Increase in Fares : Hackney 13 - 24
        Carriage Vehicles

(c) ECONOMIC DEVELOPMENT AND PLANNING PORTFOLIO
   (i) Hopton and Coton Neighbourhood Area Application 25 - 31
   (ii) Sale of Land Adjacent to Stanley House, Fancy 32 - 34
        Walk, Stafford
   (iii) Stone Neighbourhood Plan - Progressing to 35 - 40
        Referendum
   (iv) Stafford Station Gateway - PART CONFIDENTIAL 41 - 58

This report is part confidential due to the inclusion of
information relating to the financial or business affairs of
any particular person (including the authority having the
information). No representation have been received in
respect of this matter.
This Report is part confidential due to the inclusion of information relating to an action taken or to be taken in connection with the prevention, investigation or prosecution of crime, along with information relating to individuals. No representations have been received in respect of this matter.

Membership

Chair - Councillor P M M Farrington

P M M Farrington - Leader
R M Smith - Deputy Leader and Resources Portfolio
J M Pert - Community and Health Portfolio
J K Price - Environment Portfolio
F Beatty - Economic Development and Planning Portfolio
C V Trowbridge - Leisure Portfolio
SUBMISSION BY COUNCILLOR C V TROWBRIDGE
LEISURE PORTFOLIO

CABINET
5 MARCH 2020
Planning Obligations Allocation - Yarnfield

1 Purpose of Report

1.1 To consider the re-allocation of Section 106 funding towards the provision and improvement of recreational facilities in Yarnfield Village, and grant delegated authority to the Head of Development, in consultation with the Leisure Portfolio Holder and Swynnerton Ward Councillors.

2 Proposal of Cabinet Member

2.1 That the delegated authority to re-allocate and use an existing off-site contribution under the terms of a Section 106 Agreement for the amount of £16,800 (planning application 13/19226/OUT) be granted to the Head of Development in consultation with the Leisure Portfolio Holder and Swynnerton Ward Councillors.

3 Key Issues and Reasons for Recommendation

3.1 In May 2017 Cabinet approved the allocation of S106 contribution received from planning application 13/19226/OUT at Walnut Tree Farm on the following projects in Yarnfield:

(a) Drainage works on the village green
(b) Provision of Outdoor Gym Equipment
(c) Installation of football goalposts

3.2 The drainage works have been completed at a cost of £3,266 leaving an unspent balance of £16,800.
3.3 Since the approval of the funding Yarnfield Parish Council has been constituted as a separate Parish area, and separated from Swynnerton Parish, so now operates as an independent Parish Council.

3.4 The new Parish Council would like to the Council to reconsider the projects identified. Further, the Parish Council would want to consult with the local residents in order to allocate the resources available to improve the recreational facilities within the village in the most appropriate way. The proposed schemes, where practicable, will comply with the Equality Act and will be appropriate and accessible to all and meet different people's needs.

3.5 In July 2019 a new process for managing S106 contributions under the value of £50k was approved by Cabinet, which allowed delegated authority to the Head of Development, in consultation with the Leisure Portfolio Holder and Swynnerton Ward Councillors. However in the case of this planning obligation allocation at Yarnfield there is a requirement for Cabinet to formally agree the approach, due to the previous decision of Cabinet taken on 2 May 2017.

3.6 In order to progress with the works following public consultation, without any further delays, this report is requesting delegated authority be granted in line with previous agreement identified in 3.5.

3.7 The sum of £20,066 was received in April 2016 relating to Section 106 funding as outlined in the table below and is targeted at the “provision of off-site open spaces or the improvement of off-site open space within the catchment of the Development as defined by the Council’s Open Space Strategies from time to time and any subsequent review of them”. The delegated authority will ensure the proposals meet the terms and conditions and are within the proximity of the development.

<table>
<thead>
<tr>
<th>Planning Application No</th>
<th>Location</th>
<th>Amount</th>
<th>Date Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 13/19226/OUT</td>
<td>Walnut Tree Farm, Ash Lane, Yarnfield</td>
<td>£20,066</td>
<td>April 2016</td>
</tr>
</tbody>
</table>

4 Relationship to Corporate Business Objectives

4.1 This project should help to deliver the Council’s Corporate Business Plan 2018-2021 key objectives set out below:

- “To improve the quality of life of local people by providing a safe, clean, attractive place to live and work and encouraging people to be engaged in developing strong communities that promote health and well-being.”

- “To be a well-run, financially sustainable and ambitious organisation, responsive to the needs of our customers and communities and focussed on delivering our objectives”
5 Report Detail

5.1 Stafford Borough Council does not provide or manage any recreational facilities within Yarnfield.

5.2 Swynnerton Parish Council took over the responsibility for the management and maintenance of land in Yarnfield Village in 2012. This responsibility now sits with Yarnfield Parish Council.

5.3 In light of this the project will be delivered by Yarnfield Parish Council directly, on behalf of the Council as the local planning authority, subject to appropriate reporting to the Borough Council and the transfer of funds as the works are progressed.

5.4 The new facilities will be maintained and operated by Yarnfield Parish Council who will have full liability for the ongoing upkeep.

6 Implications

6.1 Financial

Utilisation of the received Section 106 funding. Officers will ensure the procurement exercise will be undertaken to comply with the Council’s Standing Orders and to ensure best value and quality

6.2 Legal

A section 106 agreement is a legal agreement made pursuant to section 106 of the Town and Country Planning Act 1990, which imposes certain legal obligations on the land owner and also the Council. The obligations placed upon the Council are to use the amounts provided for in the agreement in accordance with the terms of the agreement. With regard to contributions received as per the planning agreement concluded pursuant to 13/19226/OUT, such contributions are required to be used for the provision of off-site open space or the improvement of off-site open space within the catchment of the development permitted by the planning permission.

6.3 Human Resources

Nil

6.4 Human Rights Act

Nil

6.5 Data Protection

All consultation responses will adhere to General Data Protection Regulations.

6.6 Risk Management

Future risks will be formally assessed as a part of the overall Project Management
### 6.2 Community Impact Assessment Recommendations

The current scheme has significant potential to promote positive lifestyle choices around physical activity and healthy behaviour. Therefore it is desirable for Yarnfield Parish Council to undertake a Community Impact Assessment, incorporating a health and wellbeing assessment which identifies the potential impacts, risks and benefits of a proposal on resident’s health and wellbeing.

In order to make an assessment meaningful, engagement or consultation should take place with appropriate and representative groups of people that are most likely to be affected by the project. The Community Wellbeing Partnership is a group of local stakeholders who are committed to contributing towards and supporting a joined up approach to health, wellbeing and community safety in Stafford Borough. ‘Health in all’ is a key initiative for this group and we would suggest that the Parish Council approaches the partnership, the Borough Council’s Health & Housing Strategy Officers or similar appropriate consultees for support in developing their project in a way that promotes good health and wellbeing.

**Previous Consideration**
- Cabinet - 2 May 2017 - Minute No CAB82

**Background Papers** - File available in Development
SUBMISSION BY COUNCILLOR J K PRICE
ENVIRONMENT PORTFOLIO

CABINET
5 MARCH 2020
Taxi Licensing Policy and Licence Conditions 2017- Review and Amendments

1 Purpose of Report

1.1 To request Cabinet to consider the review and amendments made to the Taxi Licensing Policy and Licence Conditions 2017 which brings in all policies and procedures in line with current legislation and guidelines.

2 Proposal of Cabinet Member

2.1 That Cabinet: (i) approves the review and amendments to the Policy and Conditions to be consulted on;

(ii) approves the proposed consultation referred to in paragraph 5.6 below;

(iii) delegates to the Head of Operations in consultation with the Head of Law and Administration and Cabinet Member for the Environment the authority to make minor modifications to reflect changes in legislation or case law or to promote efficient administration in the licensing function without any other consultation if appropriate.
### 3 Key Issues and Reasons for Recommendation

**3.1 That:-**

(a) since the implementation of the Policy in September 2017 small amendments have been made with Council approval, however there has been updated guidance released on the policy statement relating to the relevance of convictions for Hackney Carriage/Private Hire Drivers and Operators requiring a substantive review, consideration has also been given to extend the life/age of a vehicle before it ceases to be licensed.

(b) Other smaller changes are also proposed to give more clarity to drivers in order to promote public safety.

### 4 Relationship to Corporate Business Objectives

**4.1 To improve the quality of life of local people by providing a safe, clean, attractive place to live and work and encouraging people to be engaged in developing strong communities that promote health and wellbeing.**

### 5 Report Detail

**5.1 In the Borough of Stafford the Council has the responsibility for ensuring the public travel in safe, well maintained vehicles driven by competent drivers; as well as providing a fair and reasonable service for the taxi trade.**

**5.2 The protection of the public is the paramount consideration of the Council in terms of taxi licensing.**

**5.3 The Councils’ core functions for taxi licensing are:-**

- setting the local framework, which can include safeguarding standards, fares and vehicle standards.
- considering applications and safeguarding the public by issuing, reviewing suspending or revoking licences.
- undertaking inspection and enforcement activities to ensure the required standards are being maintained and imposing controls or sanctions in the interests of public safety.

**5.4 The reviewed and amended Taxi Licensing Policy and Conditions are attached as [APPENDIX 1].**

**5.5 The flow charts referred to throughout the Taxi Licensing Policy are attached as [APPENDIX 2].**

**5.6 Before this amended policy and conditions comes into effect the Council will carry out a consultation. The Council will share the reviewed and amended policy and conditions with local stakeholders/partners, including local trade representatives, Stafford and District Access Group, Police and the Town Centre Partnership, a full list is attached at [APPENDIX 3], seeking**
contributions, feedback and comments. The consultation will last six weeks, 18 March – 30 April 2020. There will also be informal consultation with the trade at the Taxi Forum.

5.7 The amended policy and conditions will be clearly signposted on the Council’s website.

5.8 The Community Impact Assessment for this policy will also be available on the website.

5.9 The final decision on the policy and conditions will be taken by Full Council on 21 July 2020 and come into force on 22 July 2020 if approved.

5.10 The amended policy and conditions introduce a number of changes that have not been included previously, these include:-

- Age of vehicles, to extend the life/age of a vehicle before it ceases to be licensed.
- Policy statement relating to the relevance of convictions for Hackney Carriage/Private Hire Drivers and Operators
- Door signage for Hackney Carriages
- Additions to information sharing
- Dementia Awareness Training
- Clarity on the Disclosure and Barring Service (DBS)
- DVLA Licenses
- Wheels and Tyres
- Insurance Write-Offs
- Reduction of time frames for notifying the Council of any changes/accidents/interviews by Police/convictions
- Lost property
- Additions to Operators’ Licence Conditions

5.11 The amended policy and conditions have to be formally agreed by the Full Council on 21 July 2020.

5.12 The amended policy and conditions upon adoption by the Council will be reviewed every 5 years. However, it will be the subject of continuous evaluation and, if necessary, reviewed at any time. At the time of any substantive review all relevant individuals and organisations at APPENDIX 3 will again be consulted, however, approval will be sought by Full Council that the Head of Operations in consultation with the Head of Law and Administration and the Cabinet Member for the Environment may make minor modifications to reflect any change in legislation or case law or to promote efficient administration of the licensing function without consultation if appropriate.
## 6 Implications

### 6.1 Financial

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>No financial implications associated with the report.</td>
<td></td>
</tr>
</tbody>
</table>

### Legal

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Set out in the body of this report.</td>
<td></td>
</tr>
</tbody>
</table>

### Human Resources

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

### Human Rights Act

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Community Impact Assessment has considered the Human Rights Act.</td>
<td></td>
</tr>
</tbody>
</table>

### Data Protection

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>No GDPR implications associated with the report.</td>
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</tbody>
</table>

### Risk Management

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>The report ensures that our Taxi Policy is up to date and encompasses guidance and best practice.</td>
<td></td>
</tr>
</tbody>
</table>

### 6.2 Community Impact Assessment Recommendations

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Borough Council considers the effect of its actions on all sections of our community and has addressed all of the following Equality Strands in the production of this report, as appropriate:-</td>
<td></td>
</tr>
<tr>
<td>Age has been considered with different lengths of licences for applicants of various ages. Disability - Wheelchair Accessibility for customers and the Equalities Act 2010, Regulations 2017. Race - The document is compliant with recent legislative amendments to the Local Government (Miscellaneous Provisions) Act 1976 and the Immigration Act 2016 in relation to immigration and status. Religion or belief has also been considered. Sex and sexual orientation - Licences are available to all as long as the applicant passes the Fit and Proper rules and licensing process.</td>
<td></td>
</tr>
</tbody>
</table>

### Previous Consideration - Nil

### Background Papers – In Operations.
Review of Taxi Licensing Policy and Licence Conditions 2020

This policy was circulated to the following individuals and organisations for consultation and responses.

- Staffordshire County Council Transport
- Stafford Borough Council’s Planning Section
- Stafford Borough Council’s Environmental Health Section
- Stafford Borough Council’s Licensing Public Appeals Committee Chairperson and Members
- The Hackney Carriage and Private Hire trade including all licensed Operators, drivers and vehicle owners within the Borough
- Staffordshire Police
- Staffordshire Police and Crime Commissioner
- Staffordshire County Council Trading Standards
- Staffordshire Safeguarding Board
- Stafford and District Access Group
- Town Centre Partnership team
- Staffordshire Fire and Rescue Service
1 Purpose of Report

1.1 To ask Cabinet to consider a request from Stafford Taxi Association on behalf of the Hackney Carriage proprietors for an increase in taxi fares.

2 Proposal of Cabinet Member

2.1 That Cabinet consider the maximum tariff rates to be consulted on for Hackney Carriages within Stafford Borough and the need to advertise them.

3 Key Issues and Reasons for Recommendation

3.1 That:-(a) the revised scale of charges set out in APPENDIX 1 for Hackney Carriages licensed by the Council be approved;

          (b) the revised charges be advertised in accordance with the Local Government (Miscellaneous Provisions) Act 1976;

          (c) the revised charges be implemented as soon as possible, subject to any objections arising.

3.2 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 states that “a District Council may fix the rates or fares within the district as well for time as distance, and all other charges in connection with the hire of a vehicle”.
3.3 This Council last set the fares for licensed Hackney Carriages, in 2014. Since this time there has been a significant increase in the price of fuel and other operational costs including insurance and maintenance that are associated with running a Hackney Carriage vehicle.

4 Relationship to Corporate Business Objectives

4.1 To improve the quality of life of local people by providing a safe, clean, attractive place to live and work and encouraging people to be engaged in developing strong communities that promote health and wellbeing.

5 Report Detail

5.1 Representatives from the Hackney Carriage trade have approached the Council and put forward a proposal for an increase in fares that they can charge customers.

5.2 The local authority controls the maximum fares charged by hackney carriages. This is enforced through the use of a meter for all journeys, which measures a combination of time and distance travelled.

5.3 Fare scales should be designed with a view to practicality. The Department of Transport sees it as good practice to review the fare scales at regular intervals, including any graduation of the fare scale by time of day or day of the week. Authorities may wish to consider adopting a simple formula for deciding on fare revisions as this will increase understanding and improve the transparency of the process. The Department also suggests that in reviewing fares authorities should pay particular regard to the needs of the travelling public, with reference both to what it is reasonable to expect people to pay but also to the need to give taxi drivers sufficient incentive to provide a service when it is needed. There may well be a case for higher fares at times of higher demand.

5.4 Taxi fares are a maximum, and in principle are open to downward negotiation between passenger and driver. Although at ranks, or for on-street hailing’s, this could result in confrontation or unreasonable customer expectations. However local licensing authorities can usefully make it clear that published fares are a maximum, especially in the context of telephone bookings, where the customer benefits from competition.

5.5 Members of the Taxi trade have requested the fares be increased as set out in APPENDIX 1

5.6 The current hackney tariff can be found in APPENDIX 2. This tariff was last increased in 2014.

5.7 The following guidance has been taken into consideration when considering the fares proposed:
5.8 In order to assess the application for a fare increase, officers have also carried out a fare comparison exercise with neighbouring authorities. This is set out in **APPENDIX 3**.

5.9 The comparison with other neighbouring councils shows that with the proposed fares Stafford will be placed as third highest however East Staffs BC have stated they will be looking at their fares next year and Stoke-on-Trent are also imminent for review.

5.10 A check has also been made against the Hackney Fare Table produced by Private Hire and Taxi Monthly Limited (**APPENDIX 4**). The calculation is based on a 2 mile hackney carriage fare on Tariff 1. This shows that as of November 2019:

- The maximum fare currently in Stafford District for a two mile Tariff 1 journey at £5.50 is the 270th lowest out of 358 authorities.
- Tamworth rank 150 at £6.10, Cannock Chase 229th at £5.70, East Staffordshire 261 at £5.50. Lichfield is currently going through at £6.00 which will rank them between 154-188.
- Staffordshire Moorlands at £5.20 is ranked 319, South Staffordshire at £5.10 is ranked 325 and Newcastle under Lyme at £5.55 is ranked 259 and Stoke-on-Trent City Council 334th at £4.95.
- The National average for Tariff 1 is £5.95.

If the tariffs proposed by the trade were adopted, the maximum fare in Stafford District for a two mile Tariff 1 journey would be £5.85 which would mean that the fares would be the same as authority ranked at 199th out of the 358 authorities listed.

5.11 For Tariff 2 the starting rate remains unchanged but the mileage charge has increased by 10p.
5.12 In considering any fare increase, there is the impact on the customer versus ensuring that there is an adequate supply of taxis and the trade can make a living. For the trade their key costs are fuel, vehicle purchase, maintenance, insurance and labour. For Tariff 2 the hire charge ideally needs to be not so high as to deter people using taxis to get them safely home at night but at the same time set at a level which provides an incentive to hackney carriage drivers.

5.13 The Hackney Carriage trade represents an important part of the local economy of the Borough, providing employment opportunities and contributing to the public transport network.

5.14 The proposal would mean an increase of 8% on the initial 410 yards (4.9% increase for a 1 mile journey, 5.4% increase for a 2 mile journey, and 5.9% increase for a 5 mile journey) however taking into account that the rate of inflation from 2014 to 2019 has risen by 12.8% (Bank of England, Inflation calculator) and there has not been any increase in tax fares since October 2014 it is considered that the request from the trade is not unreasonable.

5.14.1 The Department for Business, Energy and Industrial Strategy produces a weekly road fuel prices statistical data set which gives the following figures for the increase of fuel costs between December 2014 and December 2019:

<table>
<thead>
<tr>
<th>Date</th>
<th>22/12/2014</th>
<th>30/12/2019</th>
<th>% increase in fuel cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pump price of Petrol in pence/litre</td>
<td>113.66</td>
<td>124.96</td>
<td>9.9%</td>
</tr>
<tr>
<td>Pump price of Diesel in pence/litre</td>
<td>120.81</td>
<td>130.54</td>
<td>8.05%</td>
</tr>
</tbody>
</table>

5.14.2 The Confused.com car insurance price index powered by Willis Towers Watson gives the Comprehensive car insurance price index for cars, which shows that the average cost for the average motorist has increased by 35.8% for the first quarter in 2015 to the fourth quarter in 2019. Insurance costs for the taxi trade are much higher paying at least £1300 a year for cover.

5.15 To illustrate how the proposed fare structures would affect the charge of typical journeys please see table 1 below:-
(No account has been taken of waiting time)

<table>
<thead>
<tr>
<th>Journey Length</th>
<th>Existing Fare Structure</th>
<th>Proposed Fare Structure</th>
<th>% increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Mile</td>
<td>£4.10</td>
<td>£4.30</td>
<td>4.9%</td>
</tr>
<tr>
<td>2 Miles</td>
<td>£5.55</td>
<td>£5.85</td>
<td>5.4%</td>
</tr>
<tr>
<td>5 Miles</td>
<td>£10.20</td>
<td>£10.80</td>
<td>5.9%</td>
</tr>
</tbody>
</table>

5.17 The Local Government (Miscellaneous Provisions) Act 1976 requires that the Council publish the proposed table of fares in at least one local newspaper. Not less than 14 days must be given for objections to be made to the proposed changes. A copy of the proposed table of fares shall also be posted at the Civic Centre for the same period of 14 days referred to above.

5.18 If no objection to the table of fares is made, or if all objections so made are withdrawn, the table of fares shall come into operation on the date of the expiration of the period specified in the notice or the date of withdrawal of the objection or, if more than one, of the last objection, whichever date is the later.

5.19 If an objection is duly made and is not withdrawn, the Council shall set a further date, not later than two months after the first specified date, on which the table of fares shall come into force with or without modifications as decided by them after consideration of the objections.
6 Implications

<table>
<thead>
<tr>
<th>6.1</th>
<th>Financial</th>
<th>None</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Legal</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>Human Resources</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>Human Rights Act</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>Data Protection</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>Risk Management</td>
<td>Economy – Economic Growth. If fares are too high there is a risk that the taxis won’t be used so will not be viable however if the fares are too low then there will be no taxi drivers or fewer available.</td>
</tr>
</tbody>
</table>

6.2 Community Impact Assessment Recommendations

The Borough Council considers the effect of its actions on all sections of our community and has addressed all of the following Equality Strands in the production of this report, as appropriate:-

Previous Consideration - Nil

Background Papers - Nil
CABINET
5 MARCH 2020
Proposals for an Increase in Fares: Hackney Carriage Vehicles

STAFFORD BOROUGH COUNCIL

PROPOSED HACKNEY CARRIAGE FARES 2020

FARE STRUCTURE

(i) DISTANCE for the first 410 yds, or part thereof ........................................... £2.70p

For each subsequent 168.7 yds, in excess of 410 yds, up to 1 mile ................. 20p

(ii) After a distance of 1 mile, 227yds up to 4 miles will be ......................... £1.55p

(iii) After a distance of 4 miles, 190.2 yds has been travelled the charge per mile will be................ £1.85p

(iv) WAITING TIME throughout the journey for each period of 40 seconds or uncompleted part thereof 20p

ALL JOURNEYS - EXTRA CHARGES

(v) When more than four persons are carried an extra 25% of metered fare will be charged.

(vi) BANK HOLIDAYS

(a) 50% extra to be charged on all Bank Holidays except Christmas Day, Boxing Day and New Year’s Day, when an 100% extra charge will apply

(b) On Christmas Eve and New Year’s Eve, 50% extra to be charged from 1800 to 2300 hours and 100% extra to start at 2300 hours

(c) On Boxing Day, between 2400hrs and 0700hrs on the 27th December, 100% extra will apply
(vii) AT TIMES other than the above, between 2400 hrs and 0700 hrs, an additional 50% of the standard fare be charged.

For charging purposes only, two children under 10 years of age regarded as one person

(viii) PRIVATE HIRE - When the Hackney Carriage is used on Private Hire journey (i.e. pre-booked), a booking fee of £1.00 may be charged.

(ix) SOILING CHARGE

<table>
<thead>
<tr>
<th>Soiling Charge</th>
<th>£60.00</th>
</tr>
</thead>
</table>

CABINET
5 MARCH 2020
Proposals for an Increase in Fares: Hackney Carriage Vehicles

STAFFORD BOROUGH COUNCIL

HACKNEY CARRIAGE FARES 2014

FARE STRUCTURE

(i) DISTANCE for the first 410 yds, or part thereof ………………………………………….. £2.50p

For each subsequent 180 yds, or part thereof in excess of 410 yds, up to 1 mile ………………… 20p

(ii) After a distance of 1 mile has been travelled, the charge per mile will be …………………… £1.45p

(iii) After a distance of 4 miles has been travelled the charge per mile will be…………………… £1.75p

(iv) WAITING TIME throughout the journey for each period of 60 seconds or uncompleted part thereof 30p

ALL JOURNEYS - EXTRA CHARGES

(v) When more than four persons are carried an extra 25% of metered fare will be charged.

(vi) BANK HOLIDAYS

(a) 50% extra to be charged on all Bank Holidays except Christmas Day, Boxing Day and New Year’s Day, when an 100% extra charge will apply

(b) On Christmas Eve and New Year’s Eve, 50% extra to be charged from 1800 to 2300 hours and 100% extra to start at 2300 hours

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(vii) AT TIMES other than the above, between 2400 hrs and 0700 hrs, an additional 50% of the standard fare be charged.

For charging purposes only, two children under 10 years of age regarded as one person

(viii) PRIVATE HIRE - When the Hackney Carriage is used on Private Hire journey (i.e. pre-booked), a booking fee of £1.00 may be charged.

(ix) FOULING CHARGE

Fouling Charge £60.00
Current Ranking in PHTM (Private Hire and Taxi Monthly)

<table>
<thead>
<tr>
<th>POSITION</th>
<th>COUNCIL - TARIFF ONE</th>
<th>2 MILE FARE</th>
<th>Last fare increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>150</td>
<td>TAMWORTH</td>
<td>£6.10</td>
<td>2017</td>
</tr>
<tr>
<td>229</td>
<td>CANNOCK CHASE</td>
<td>£5.70</td>
<td>2018</td>
</tr>
<tr>
<td>259</td>
<td>NEWCASTLE-UNDER-LYME</td>
<td>£5.55</td>
<td>2019</td>
</tr>
<tr>
<td>261</td>
<td>EAST STAFFORDSHIRE</td>
<td>£5.50</td>
<td>2008</td>
</tr>
<tr>
<td>270</td>
<td>STAFFORD</td>
<td>£5.50</td>
<td>2014</td>
</tr>
<tr>
<td>297</td>
<td>LICHFIELD</td>
<td>£5.30</td>
<td>2012</td>
</tr>
<tr>
<td>319</td>
<td>STAFFS MOORLANDS</td>
<td>£5.20</td>
<td>2015</td>
</tr>
<tr>
<td>325</td>
<td>SOUTH STAFFORDSHIRE</td>
<td>£5.10</td>
<td>2010</td>
</tr>
<tr>
<td>334</td>
<td>STOKE-ON-TRENT UA</td>
<td>£4.95</td>
<td>2010</td>
</tr>
</tbody>
</table>
PROPOSED CHANGES AND RANKINGS FOR STAFFORD (IF INCREASED)

- This is a comparison of fares at the time of the production of the report. Relative positions will change as other Councils implement requests for increases in fares

<table>
<thead>
<tr>
<th>POSITION</th>
<th>COUNCIL - TARIFF ONE</th>
<th>2 MILE FARE</th>
<th>Last fare increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>150</td>
<td>TAMWORTH</td>
<td>£6.10</td>
<td>2017</td>
</tr>
<tr>
<td>154-188</td>
<td>LICHFIELD</td>
<td>£6.00</td>
<td>Proposed</td>
</tr>
<tr>
<td>199</td>
<td>STAFFORD</td>
<td>£5.85</td>
<td>Proposed</td>
</tr>
<tr>
<td>229</td>
<td>CANNOCK CHASE</td>
<td>£5.70</td>
<td>2018</td>
</tr>
<tr>
<td>259</td>
<td>NEWCASTLE-UNDER-LYME</td>
<td>£5.55</td>
<td>2019</td>
</tr>
<tr>
<td>261</td>
<td>EAST STAFFORDSHIRE</td>
<td>£5.50</td>
<td>2008</td>
</tr>
<tr>
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<td>334</td>
<td>STOKE-ON-TRENT UA</td>
<td>£4.95</td>
<td>2010</td>
</tr>
</tbody>
</table>
1 Purpose of Report

1.1 This report seeks Cabinet approval to designate Hopton and Coton Parish as a Neighbourhood Area for the purpose of producing a Neighbourhood Plan within the remit of the Town and Country Planning Act 1990 as amended by the Localism Act 2011 and further following such designation, to publish details of the same.

2 Proposal of Cabinet Member

2.1 To designate the Hopton and Coton Parish as a Neighbourhood Area (please refer to the APPENDIX).

2.2 Once so designated to authorise the publishing of the information set out below (sub- paragraphs (a) to (c)) on the Council’s website and in such other manner so as to ensure that the designation is brought to the attention of people who live, work or carry on business in the neighbourhood area:

(a) the name of the neighbourhood area;

(b) a map which identifies the area; and

(c) the name of the relevant body who applied for the designation.
3 Key Issues and Reasons for Recommendation


3.2 Neighbourhood plans must be prepared in general conformity with the adopted Local Plan. Neighbourhood plans cannot reduce the level of growth outlined in the strategic policies of an adopted Local Plan, but they will take precedence over non-strategic policies.

4 Relationship to Corporate Business Objectives

4.1 From the Corporate Business Plan 2018-2021 the following Corporate Business Objectives are relevant for the preparation of Neighbourhood Plans:

Corporate Business Objective 1 ‘To deliver sustainable economic and housing growth to provide income and jobs.’

Corporate Business Objective 2 ‘To improve the quality of life of local people by providing a safe, clean, attractive place to live and work and encouraging people to be engaged in developing strong communities that promote health and wellbeing.’

5 Report Detail

5.1 The main driver of the amendments introduced into the Town and Country Planning Act 1990 (hereafter “the 1990 Act”) by the Localism Act 2011 was to encourage a more collaborative approach to plan making, with the Council and the community working more closely together.

5.2 The Borough Council has responded positively to the Localism agenda and has been proactive in embracing the new approach to plan making by incorporating Neighbourhood Planning into the Local Plan and providing advice to Parish Councils interested in the Neighbourhood Planning process. The process for producing a Neighbourhood Plan is set out below:-

Step 1: Getting started - Formal designation of the ‘Neighbourhood Area’.
Step 2: Identifying the Issues
Step 3: Develop a vision and objectives
Step 4: Generate options
Step 5: Draft your Neighbourhood plan
Step 6: Consultation and submission
Step 7: Independent examination
Step 8: Referendum and adoption
Neighbourhood areas and relevant bodies

5.3 The Neighbourhood Planning (General) Regulations 2012 as amended originally came into force on 6 April 2012 (hereafter “the 2012 Regulations”). These Regulations together with the 1990 Act provide the procedure for the development of Neighbourhood Plans.

5.4 Where the application is received from a Parish Council for the designation of a Neighbourhood Area and that area covers all of the Parish Council area (and such area does not extend into any area outside of the Parish boundary or has already been designated) then, as a result of Regulation 5A of the 2012 Regulations and Section 61G of the 1990 Act, the Council has to designate the Neighbourhood Area proposed. Once the proposed area has been designated then, in accordance with Regulation 7 of the 2012 Regulations, certain details regarding the designation have to be published on the Council’s website and in other ways so that the relevant information is brought to the attention of all persons living or working or carrying on a business in the proposed area.

5.5 This report seeks authority to designate the proposed neighbourhood area put forward in the application and once designated to seek authority to publicise the designation of the neighbourhood area. The name of the neighbourhood area, a map which identifies the area and the name of the relevant body who applied for the designation must all be published.

5.6 Hopton and Coton Parish Council wishes to designate the whole of the Parish administrative area as a neighbourhood area; following a letter and map sent to the Borough Council dated 24 December 2019 (please refer to the APPENDIX).

6 Implications

6.1 The cost associated with preparing a Neighbourhood Plan is currently unknown, with estimates around the country ranging from £14,000 to £100,000. The cost depends on the level of detail in each Neighbourhood Plan and any evidence needed to support the plan. The cost of producing a Neighbourhood Plan lies with the relevant Parish Council. There are several requirements under the Town and Country Planning Act 1990 as amended by the Localism Act and further, contained within the 2012 Regulations which result in a resource and cost implication for Stafford Borough Council. The bulk of which comes from the requirements to arrange an examination and referendum for the Neighbourhood Plan, and publishing the Neighbourhood Plan.

\[\text{(a) the name of the neighbourhood area;} \]

\[\text{(b) a map which identifies the area; and} \]

\[\text{(c) the name of the relevant body who applied for the designation} \]
6.2. The costs of each neighbourhood plan will vary, depending on what the plan seeks to address. Referendum costs will vary depending on whether the referendum is linked to an election or held as a stand-alone exercise.

6.3 The Minister for Planning announced an extension of funding of up to £20,000 per scheme for local planning authorities into the financial year 2015/16. A number of changes were also announced to provide greater support to those places encouraging neighbourhood planning in non-parished areas and will be available retrospectively.

6.4 The costs incurred in arranging an independent Examination and Referendum are supported by grant aid from the Ministry of Housing, Communities and Local Government (MHCLG). Local Planning Authorities can claim £20,000 once they have set a date for a referendum following a successful examination where a neighbourhood plan has not previously been made for that area, to cover the costs incurred by the Council.

<table>
<thead>
<tr>
<th>6.5 Financial</th>
<th>The costs incurred in arranging an independent Examination and Referendum are supported by grant aid from the Ministry of Housing, Communities and Local Government (MHCLG). £20,000 can be claimed once a referendum date has been set.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal</td>
<td>The procedure relating to Neighbourhood planning is contained within the Town and Country Planning Act 1990 and the Neighbourhood Planning (General) Regulations 2012 as amended. The process starts in the case of the submission of an application for an area designation by a qualifying body. A Parish Council is a qualifying body and in the event of application by a Parish Council which covers all of the Parish and not beyond the parish area then the Council as the local planning authority has to designate the area proposed an application and thereafter publish the Area Designation together with a plan of the area of the area and the name of the body / organisation proposing the designation.</td>
</tr>
<tr>
<td>Human Resources</td>
<td>Supporting the Parish Council in progressing the Neighbourhood Plan will require staff resources to be allocated.</td>
</tr>
</tbody>
</table>
| Human Rights Act and | This proposal is for the designation of the Hopton }
<table>
<thead>
<tr>
<th>Equality Act 2010</th>
<th>and Coton Neighbourhood Area and publication thereafter and no issues arise at this time.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Data Protection</td>
<td>Nil</td>
</tr>
<tr>
<td>Risk Management</td>
<td>The risk issues contained in this report are not strategic and therefore should not be included in the Strategic Risk Register.</td>
</tr>
</tbody>
</table>

| Community Impact Assessment Recommendations | The Borough Council considers the effect of its actions on all sections of our community and has addressed all of the following Equality Strands in the production of this report, as appropriate: Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation. |

**Previous Consideration - Nil**

**Background Papers - File available in Development**
Hopton and Coton Parish Council have decided that it is in the interests of residents of the Parish to produce a Neighbourhood Development Plan. It has done this after consideration of the impact of the High Speed 2 project and the extensive development taking place on the western and southern boundaries of the Parish.

Although there is a presumption that the neighbourhood area will be the same as the parish boundary Hopton and Coton Parish Council have considered alternatives with the help of its professional advisors, Urban Vision. The Parish Council has decided to ask Stafford Borough Council to designate the whole of Hopton and Coton Parish as the neighbourhood area. This is because one of the aims of the Neighbourhood Development Plan is to integrate the whole Parish. The various parts and land uses are interrelated and no particular geographical area or land use in the Parish should be considered in isolation.

A map of the proposed neighbourhood area is attached,
SUBMISSION BY COUNCILLOR F BEATTY
ECONOMIC DEVELOPMENT AND PLANNING PORTFOLIO

CABINET
5 MARCH 2020
Sale of Land Adjacent to Stanley House, Fancy Walk, Stafford

1 Purpose of Report

1.1 To seek approval to sell Council owned land to provide private car parking spaces for the redevelopment of Stanley House into residential accommodation (see APPENDIX).

2 Proposal of Cabinet Member

2.1 That the land at Fancy Walk shown in bold outline on the attached plan be sold to Nexus Property Solutions Limited or an associated company.

3 Key Issues and Reasons for Recommendation

3.1 The land is currently laid out as a free public car park but was originally a children’s play area that was closed due to vandalism.

3.2 The redevelopment of Stanley House is not viable without the use of the Council’s land for car parking.

3.3 The Council does not receive any income from the car park.

4 Relationship to Corporate Business Objectives

4.1 To deliver sustainable economic and housing growth to provide income and jobs.
5 Report Detail

5.1 The Council owns the land within the bold outline which measures approximately 0.05058 hectares and is currently laid out as a free public car park.

5.2 On 6 June 2014 Cabinet gave approval for the land to be leased to Rammon Group (Properties) Limited (the developers of Stanley House) to provide dedicated parking.

5.3 In 2016 planning permission was granted for the conversion of Stanley House to residential apartments.

5.4 On 9 May 2019 Rammon Group (Properties) Limited sold Stanley House to Nexus Property Solutions GB Ltd.

5.5 The new owners have now approached the Council with a request to purchase the land to provide dedicated parking.

5.6 The land has been valued on behalf of the Council and the valuation figure is £75,000 for the sale of the freehold.

6 Implications

6.1 Financial

<table>
<thead>
<tr>
<th>The Council will receive £75,000 for the sale of the land.</th>
</tr>
</thead>
</table>

Legal

<table>
<thead>
<tr>
<th>The land is in the registered ownership of the Council.</th>
</tr>
</thead>
</table>

Human Resources

| None. |

Human Rights Act

| None. |

Data Protection

| None. |

Risk Management

| None. |

6.2 Community Impact Assessment Recommendations

| The Borough Council considers the effect of its actions on all sections of our community and has addressed all of the following Equality Strands in the production of this report, as appropriate:- |

| Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation. |

Previous Consideration - Nil

Background Papers - Papers in Legal
CABINET
5 MARCH 2020
Sale of land adjacent to Stanley House, Fancy Walk, Stafford
1 Purpose of Report

1.1 To seek Cabinet approval to proceed to a referendum for the Stone Neighbourhood Plan on Thursday 7 May 2020, accepting the recommendations and limited amendments to the recommendations in the Examiner’s report (as set out in APPENDIX 1) on the Stone Neighbourhood Plan and notify relevant parties prior to proceeding to a referendum.

2 Proposal of Cabinet Member

2.1 That the Stone Neighbourhood Plan proceeds to Referendum, incorporating the Examiner’s recommended modifications, and further amendments suggested by Stafford Borough Council are approved.

2.2 That the Decision Statement (set out in APPENDIX 2) be approved and published with the Examiner’s Report.

3 Key Issues and Reasons for Recommendation

3.1 The Examiner’s Report confirms that the Stone Neighbourhood Plan, subject to modifications, meets the basic conditions shown below in paragraph 5.3, and can therefore proceed to a referendum when Parish residents and businesses can vote on whether the Plan should be approved.
3.2 After considering the Examiner’s Report, the Council are satisfied that the modifications made to the Stone Neighbourhood Plan satisfy the basic conditions. However, the Borough Council also consider that further amendments to these modifications should be made to provide clarity and correction, whilst meeting the basic conditions.

3.3 Based on the paragraph 13 of Schedule 4B within the Town and Country Planning Act 1990 if the local planning authority propose to make a decision which differs from that recommended by the Examiner, and the reason for the difference is (wholly or partly) as a result of new evidence or a new fact or a different view taken by the authority as to a particular fact the authority must notify prescribed persons of their proposed decision (and the reason for it) and invite representations. These powers were considered in a legal case by the Court of Appeal in R. (Kebbell Developments Ltd) v Leeds City Council [2018] 1 W.L.R 4625. Lindblom LJ. The court clarified that a Council is not required to consult if it promotes modifications which go further than those recommended by the Examiner as long as they are wholly consistent with those recommendations and are not based on “new evidence” or “new facts”.

3.4 On this basis the Borough Council do not consider that the further amendments proposed alongside the Examiner’s recommendations require further consultation as these are not as a result of new evidence, a new fact or a different view taken by the authority as to a particular fact. Therefore the next step is to publish a Decision Statement attached as APPENDIX 2 and proceed to referendum.

3.5 At all stages of preparing the Stone Neighbourhood Plan the Council has ensured that the process meets the statutory requirements and follows Regulations, so that the decision making process is clear and transparent.

3.6 In due course, following a successful referendum vote, the Neighbourhood Plan must be adopted and will then form part of the statutory development plan for Stafford Borough. Together with the adopted Plan for Stafford Borough, and the revised National Planning Policy Framework, the Neighbourhood Plan will be used to make decisions on planning applications that are applicable within the Neighbourhood Plan area.

4 Relationship to Corporate Business Objectives

4.1 From the Corporate Business Plan 2018-2021 the following Corporate Business Objectives are relevant:

Corporate Business Objective 1 ‘To deliver sustainable economic and housing growth to provide income and jobs.’

Corporate Business Objective 2 ‘To improve the quality of life of local people by providing a safe, clean, attractive place to live and work and encouraging people to be engaged in developing strong communities that promote health and wellbeing.’
5.1 Neighbourhood planning was introduced in 2011 by the Localism Act to give communities direct power to develop a shared vision for their neighbourhoods and shape development and growth of their area through the production of Neighbourhood Plans. The process is enshrined in the Town & Country Planning Act 1990 and the Neighbourhood Planning (General) Regulations 2012 (As Amended).

5.2 Neighbourhood Plans must be prepared in general conformity with local and national planning policy. They cannot reduce the level of growth outlined in the strategic policies of the local development plan. The Stone Neighbourhood Plan has been prepared in line with the Plan for Stafford Borough.

5.3 Neighbourhood Plans must satisfy the Basic Conditions set out below:-
   (a) The plan must have regard to national policies and advice contained in guidance issued by the Secretary of State;
   (b) Contribute to the achievement of sustainable development;
   (c) Be in general conformity with strategic policies of the development plan for the area;
   (d) Be compatible with European Rights (EU) and European Convention on Human Rights (EUCR) obligations;
   (e) not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (d).

Development of Stone Neighbourhood Plan

5.4 In August 2015 Stone Town Council applied to designate the Parish as a Neighbourhood Plan Area, which was approved by the Council in December 2015. Subsequently a Neighbourhood Plan Working Group consisting of local volunteers was established to produce the Neighbourhood Plan.

5.5 The Stone Neighbourhood Plan has been subject to extensive community consultation, and supported by an evidence base. The Town Council published a pre-submission version of the Neighbourhood Plan and invited the public to comment between 19 June and 31 July 2018. Following the consultation, Stone Town Council made subsequent amendments in order to produce the submission version of the plan.
5.6 In September 2018 Stone Town Council submitted their Neighbourhood Plan, with supporting documents (Basic Conditions Statement, Consultation Statement and a Screening Assessment), to the Council for a six week publication period of consultation between 6 November and 19 December 2018. Between February and August 2019 the independent Examination took place when the appointed Examiner considered the representations received and all of the relevant documents.

5.7 On 16 August 2019, the Council received the Examiner’s Report (see APPENDIX 1) on the Stone Neighbourhood Plan, which recommended that the Neighbourhood Plan, subject to the Examiner’s recommended modifications, should proceed to Referendum. In summary, the Examiner considers that the Stone Town Neighbourhood Plan proposes a local range of policies and seeks to bring forward positive and sustainable development in the Stone Neighbourhood Area, based on extensive community support and engagement.

5.8 The findings of the Examiner’s Report recommends a number of modifications to help refine policies so that they are more effective and, most importantly, ensure the Stone Neighbourhood Plan meets the basic conditions.

5.9 Stone Town Council has considered the Examiner’s Report and its recommendations. As a result Stone Town Council submitted a “Urban Vision Enterprise CIC Stone Neighbourhood Plan Options for Moving Forward October 2019’ document to the Borough Council on 7 November 2019 prior to a decision being made on the Examiner’s Report. The Borough Council has decided that two further amendments to the Stone Neighbourhood Plan 2016-2031 would be appropriate, to provide clarity and to meet Basic Conditions 1 & 3. The amended and final version of the Stone Neighbourhood Plan, subject to the Referendum, is included in APPENDIX 3.

**Next Steps**

5.10 As the Council are satisfied that the Neighbourhood Plan fulfils the basic conditions of the Neighbourhood Planning Regulations, prior to proceeding to a Referendum, the Council must publicise a Decision Statement (see APPENDIX 2) to take forward the Stone Neighbourhood Plan.

5.11 The decision to proceed is normally made within 5 weeks of receipt of the Examiner’s report. However, in this case further representations were received from Stone Town Council, which could not have been considered within that time period.

5.12 If a decision to proceed to referendum is made, the Council will proceed in arranging a Referendum to enable local people within the Parish to vote on adopting the Stone Neighbourhood Plan.
## 6 Implications

### 6.1 Financial

The costs incurred in arranging an independent Examination and Referendum are supported by grant aid from the Ministry of Housing, Communities and Local Government (MHCLG). £20,000 will now be claimed to cover the costs incurred by the Council.

### Legal

The Stone Neighbourhood Plan meets the legal requirements and Basic Conditions of the Neighbourhood Planning Regulations.

A decision on whether to proceed to referendum should be taken within 5 weeks of receipt of the Examiners report or by an alternative date agreed with Stone Town Council.

### Human Resources

The Referendum will require staff resources to be allocated.

### Human Rights Act

Nil

### Data Protection

Nil

### Risk Management

The risk issues contained in this report are not strategic and therefore should not be included in the Strategic Risk Register.
| 6.2 **Community Impact Assessment Recommendations** | The Borough Council considers the effect of its actions on all sections of our community and has addressed all of the following Equality Strands in the production of this report, as appropriate:-

Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation

The Stone Neighbourhood Plan provides clear guidance to developers and also members of the public through planning policies and proposals in the Parish. This will enable any resident or business to see the requirements related to future development.

Working from a consistent evidence base through the Town Council and with partners, ensures that Community Impact Assessment recommendations made in relation to the Stone Neighbourhood Plan with policy-specific areas are also consistent and complementary to an approach that supports equality in both service provision and health outcomes. |

| **Previous Consideration** - Nil |
| **Background Papers** - File available in Forward Planning |
1 Purpose of Report

1.1 To update on the progress made with the Stafford Station Gateway and agree next steps to ensure delivery of the Gateway Masterplan Vision.

2 Proposal of Cabinet Member

2.1 That Cabinet agree:

(i) To undertake to sign the Task Agreement for business case development with Staffordshire County Council and London and Continental Railways (see the CONFIDENTIAL APPENDIX)

3 Key Issues and Reasons for Recommendation

3.1 The Borough Council have been working in partnership with Staffordshire County Council and London and Continental Railways for some time but the next stage of work requires revenue funding. By agreeing to share the cost of the work the liability to the Borough Council is reduced by two thirds.

4 Relationship to Corporate Business Objectives

4.1 The proposal supports the delivery of sustainable economic and housing growth is are therefore actively supporting all three of the Business Objectives within the Corporate Business Plan as follows:
Objective 1: Delivering sustainable economic and housing growth to provide income and jobs

Objective 2: Developing strong communities that promote health and wellbeing

Objective 3: To be a financially sustainable and ambitious organisation

4.2 The proposal reflects a workstream in its own right within the Council’s Economic Growth Strategy (adopted February 2020) delivering against Growth Priority 1 as follows:

Enabling new and existing businesses to grow and build confidence in Stafford as a hub of productivity with a balanced economy

4.3 The proposal is also consistent with and supportive of the Council’s adopted development strategy as set out in The Plan for Stafford Borough (adopted 2014).

5 Report Detail

5.1 In March 2017 and as part of our ongoing work with the Constellation Partnership consultants BDP produced a spatial masterplan for the area identified as the Stafford Station Gateway. The Gateway comprises three distinct areas, Gateway North (which is now in County Council ownership), Gateway Central (which is largely in St Modwen’s ownership) and Gateway South or the Station Plaza (which is in mixed ownership).

5.2 As the Gateway was identified as a focus for HS2 related growth the preferred aspirational masterplan option of up to 800 residential units (a mix of circa 650 apartments and 150 town houses/family houses) and up to 70,000 square metres (760,000 square feet) of Grade A office and other commercial and industrial space was agreed with Cabinet. It is the Gateway South area that was identified as a potential new Central Business District, capitalising on HS2 led growth and accommodating around 55,000 square metres (600,000 square feet) of office floorspace.

5.3 A project group of both Borough and County Council officers has been developing the individual workstreams within the project that include:

- Land acquisition strategy
- Station connectivity
- Progressing planning status
- Current on-site development
- Communications and stakeholder engagement
- Funding requirements
- Commercial deliverability
5.4 As part of these workstreams significant progress has been made as follows:

- £150,000 LEP Growth Fund award in February 2019 to enable acquisition of redundant Network Rail sidings to unlock development of an additional 70 residential units
- Gateway Central housing layout replanned with St Modwens (the land owners and developers already on site) to enable a realigned spine road to be constructed in a later phase that will provide connectivity through Gateway Central and South
- A working group of officers from both Borough and County Councils and London Continental Railways (LCR) commissioned commercial and land strategy advice on the Gateway South area which was completed in June 2019

5.5 In November 2019 Cabinet agreed to enter into a Collaboration Agreement with LCR and Staffordshire County Council to enable progression of the Station Gateway Masterplan Implementation Plan. The next tranche of work has now been scoped and requires revenue investment to complete the delivery framework, revised financial model, planning and delivery strategies.

5.6 The detail of the work is set out in the Task Agreement at Appendix 2 with a total cost (including 10% contingency) at £176,000 to be shared equally between the Borough Council, the County Council and LCR. A further £25,375 is to met by both Councils for the management role to be taken by LCR as detailed in section 6 of the Task Agreement and becomes payable if a viable scheme is identified. The total revenue cost to the Borough Council is therefore initially £71,354 which can be met from within existing budgets.

5.7 Signing the Task Agreement will therefore create an initial financial liability of £58,667. If a sound business case for further investment cannot be demonstrated then no further payment would be made by the Borough. If however a viable scheme was demonstrated and the Borough Council proceeded without providing an equity stake to LCR, then Staffordshire County Council and the Borough Council could jointly be liable to further repay up to £84,401.

5.8 At this stage in the process it is not possible to specify what equity arrangements could be in place further into the project. What can be confirmed is that should a deliverable scheme not exist the Borough Council can limit the financial exposure to the £58,667 as set out above.

5.9 Cabinet approval is therefore sought to enter into the Task Agreement and proceed with the procurement of specialist services.
### 6 Implications

#### 6.1 Financial
- **Legal**: As set out in the report.
  - The Task Agreement has been reviewed and amended for clarity in consultation with the Head of Law and Administration.
- **Human Resources**: N/A
- **Human Rights Act**: N/A
- **Data Protection**: N/A
- **Risk Management**: N/A

#### 6.2 Community Impact Assessment
- **Recommendations**: The Borough Council considers the effect of its actions on all sections of our community and has addressed all of the following Equality Strands in the production of this report, as appropriate:
  - Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
  - Unlocking the redevelopment of the western side of Stafford Station provides connectivity for the existing and future residents of the Gateway site, Castlefields and Burleyfields developments enabling easier on foot access to Victoria Park and other leisure facilities in and around the town centre.

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**Previous Consideration** –
- Cabinet - 21 January 2016 - Minute CAB69
- Cabinet - 4 August 2016 - Minute CAB25
- Cabinet – 6 July 2017 – Minute CAB9
- Cabinet – November 2019

**Background Papers** – File available in Development
SUBMISSION BY COUNCILLOR R M SMITH
RESOURCES PORTFOLIO

CABINET
5 MARCH 2020
Revenues and Benefits Collection Report - Quarter 3

1 Purpose of Report

1.1 To inform Cabinet of the performance of the Revenues and Benefits Service as regards:

- collections of Council Tax during the first three quarters of the financial year.
- collections of Business Rates during the first three quarters of the financial year.
- the recovery of overpaid Housing Benefit during the first three quarters of the financial year.

1.2 To seek approval to the write off of the arrears listed in the CONFIDENTIAL APPENDICES.

2 Proposal of Cabinet Member

2.1 That the information regarding collections be noted.

2.2 That the arrears listed in the CONFIDENTIAL APPENDICES be written off.
3 Key Issues and Reasons for Recommendations

3.1 Efficient collection of the Council’s revenues is of major importance to the funding of Council services and those provided by our preceptors.

3.2 Council Tax due for the current year amounts to £81.8M, of which some 84.3% was collected by the end of the December.

3.3 Business Rates due for the current year amounts to £51.7M of which some 81.2% was collected by the end of the December.

3.4 Whilst our collection rates are good, regrettably not all of the monies owed to the Council can be collected and this report contains a recommendation to write off bad debts which cannot be recovered.

4 Relationship to Corporate Business Objectives

4.1 Not Applicable.

5 Report Detail

Council Tax

5.1 Council Tax is collected on behalf of the District Council, Parish Councils and our Major Preceptors (Staffordshire County Council and Commissioner for Police, Crime, Fire and Rescue). The effect of the Collection fund arrangements means that Stafford Borough Council retains around 10% of the council tax collected.

5.2 Council Tax due for the current year amounts to £81.8M and we would anticipate collecting in the region of 98.4% within the year, as was the case in the last financial year. Action continues to collect the remainder, after the end of the financial year, with over 99% being recovered.

5.3 By 31 December, we had collected 84.3% of the year’s charges, which is broadly in line with the corresponding period of the previous year (which was 85.0%).

5.4 In accordance with the Council’s approved policies, all reasonable and lawful attempts are made to recover all amounts due. In the first instance this involves the issue of bills, reminders and final notices, followed by Summonses in the Magistrates Court where the warning notices are not effective. At all stages of this process, debtors are encouraged to engage in voluntary arrangements to repay their arrears, to prevent the need for formal action.
Where necessary and when Liability Orders are granted by Magistrates, the Council uses its powers to make deductions from earnings and benefits of debtors, where it can, and instructs Enforcement Agents where such deductions are not possible or appropriate.

In the most severe cases and for debts exceeding £5,000, the Council will consider personal bankruptcy action against individuals.

5.5 The recovery powers available to the Council are considerable but not completely infallible. There are occasions when bills are not paid and the debts cannot be recovered.

5.6 Statutory safeguards such as Debt Relief Orders, Individual’s Voluntary Arrangements exist to protect debtors suffering hardship, to attempt to the expensive, stressful and sometimes ineffective process of personal bankruptcy. Where a debt is included in such an instrument, or when a debtor is bankrupt, our ordinary recovery powers cannot be used.

5.7 For any of our powers to be effective we need to know the whereabouts of a debtor and this is not always the case. Where debtors abscond we will use all reasonable endeavours to trace them and are often successful in doing so. Unfortunately, on occasions this is not so and we must submit a debt for write off.

Our trace procedures include;

- Checking our internal Council systems, and following any information which may help us to trace the debtor.
- Using the Locating Council Tax Absconders (LoCTA), a Local Authority data sharing system, to check for forwarding addresses at other Local Authorities.
- Use of Transunion credit reference agency data.
- Trace and collect facilities offered by our Enforcement Agencies
- Visits to the last known address by the Council’s Property Inspector and use of external tracing agents.

Unfortunately, legislation does not currently permit access to DWP or HMRC records to trace Council Tax debtors or their employers, though a Cabinet Office project is currently reviewing this.

5.8 Irrecoverable council tax debts in the sum of £20,022.47 are listed in the confidential appendix to this report.
Business Rates

5.9 Business Rates due for the current year amounts to £51.6M of which some 81.2% was collected by the end of the December. Again we would anticipate the collection rate to match last year’s performance of 98.4%.

5.10 The recovery powers available to us are again contained in the Council’s approved policies and are used in full. Those powers and our procedures are similar to the council tax powers described above, with the exception that deductions from individuals’ benefits and earnings are not permissible, even if the debtor is an individual.

5.11 Where rates are owed by an individual, similar safe guards exist for the debtors and trace facilities are used by the Council for absconding debtors, as described above.

5.12 Additionally, in the case of business rates, as has been reported to Cabinet previously, our collection efforts are sometimes frustrated by weaknesses in legislation. Rates are due from the occupiers rather than the owners of property and where the occupier is a company, we can only recover from that company. Some proprietors will strip a company of its assets, or dissolve the company before we have had an opportunity to implement our recovery procedures. A new company is then formed in a similar style, to trade from the same premises.

Central Government has previously undertaken to review the loopholes that exist in rating and company legislation, though no changes have yet been received. Officers continue to actively monitor these issues.

5.13 The CONFIDENTIAL APPENDIX to this report lists business rate debts of £60,345.06 which cannot be recovered for the reasons stated and for which approval to write off, is requested.

Housing Benefit Overpayments

5.14 The Council manages the Housing Benefit scheme on behalf of the Department for Work and Pensions, who fund the cost of benefits paid to claimants.

5.15 Recovery of overpaid Housing Benefit continues to progress well, with some £298,133.15 being collected into the Council’s General Fund in the first three quarters of the year.

5.16 One irrecoverable Benefit Overpayment debt in the sum of £4,562.06 is included in the CONFIDENTIAL APPENDIX to this report.
### 6 Implications

#### 6.1 Financial

Under the Business Rates Retention Scheme, business rates write offs will no longer be offset against the National Non-Domestic Rating Pool. Write offs will now form part of the costs of collection of Business Rates. The Business Rates write offs in this report total £60,345.06. This represents 0.15% of the outstanding collectable debit for the current year.

Council Tax write offs are losses to the Collection Fund and, as such, form part of the cost of collection incurred by this Council. The Council Tax write offs on this report total £20,022.47. This represents 0.02% of the outstanding collectable debit for the current year.

The cost of collecting the debts has been considered as part of the decision to put them forward for write off. If further information does come forward about the whereabouts of any of the individual debtors the Council will pursue recovery action.

Cabinet are asked to write off the debts as they are considered to be irrecoverable for the reasons given in the appendices. The debts remain legally due to the Council and should the circumstances causing the write off in any particular case, subsequently change, recovery action may be recommenced.

#### Legal

Cabinet are asked to write off the debts as they are considered to be irrecoverable for the reasons given in the appendices. The debts remain legally due to the Council and should the circumstances causing the write off in any particular case, subsequently change, recovery action may be recommenced.

#### Human Resources

None.

#### Human Rights Act

None.

#### Data Protection

The appendices to this report contain personal information and are therefore not published.
<table>
<thead>
<tr>
<th>Risk Management</th>
<th>The risk issues contained in this report are not strategic and therefore should not be included in the Strategic Risk Register.</th>
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### 6.2 Community Impact Assessment Recommendations

The Borough Council considers the effect of its actions on all sections of our community and has addressed all of the following Equality Strands in the production of this report, as appropriate:

- Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

### 7 Appendices to the Report

- **Appendix 1** - Council Tax write offs over £2,500.
- **Appendix 2** - Non-Domestic Rates write offs over £2,500
- **Appendix 3** - Housing Benefit Overpayments write offs over £2,500

**Previous Consideration - Nil**

**Background Papers**

None