



**Minutes of the Cabinet held at the Civic Centre, Riverside, Stafford on Thursday 5 November 2015**

Chairman - Councillor P M M Farrington

Present (for all or part of the meeting):-

Councillors:

- |                |   |                                     |
|----------------|---|-------------------------------------|
| F Beatty       | - | Planning and Regeneration Portfolio |
| F A Finlay     | - | Environment and Health Portfolio    |
| J M Pert       | - | Community Portfolio                 |
| R M Smith      | - | Deputy Leader and Leisure Portfolio |
| K S Williamson | - | Resources Portfolio                 |

Also present:-

Councillors R J Draper and A P Edgeller

Officers in attendance:-

Mr I Thompson - Chief Executive  
Mr N Jones - Head of Planning and Regeneration  
Mr J Dean - Democratic Services Officer

**CAB34 Minutes**

The minutes of the meeting held on 8 October 2015 were submitted and signed.

**CAB35 Fees and Charges Review 2016**

Considered a report (and associated booklet) proposing the Fees and Charges for 2016 to the Council, as set out in Section 2 of Digest No 213 of 6 November 2015.

The Cabinet Member noted paragraph 5.2 of the report before highlighting the recommendation in paragraph 2.1.

Councillor F Beatty proposed an amendment to pages 60 and 61 relating to car parking charges, namely move the words "Civic Centre" from page 60 and insert under Variable Stay Parking at the top of page 61.

The amendment was duly seconded.

The Cabinet then voted on the proposal, as amended, which was declared to be carried.

RESOLVED:- that the proposal of the Cabinet Member - Resources Portfolio be approved as follows:-

the proposed fees and charges for 2016 (subject to the amendments as reported) be recommended for Council for approval.

**THIS ITEM IS NOT SUBJECT TO CALL IN AND WILL BE REFERRED TO RESOURCES AND CORPORATE SERVICES SCRUTINY COMMITTEE ON 17 NOVEMBER 2015, COMMUNITY SERVICES SCRUTINY COMMITTEE ON 19 NOVEMBER 2015 AND COUNCIL ON 24 NOVEMBER 2015.**

**CAB36 Financial Plan 2015-16 - 2018-19**

Considered a report presenting an updated financial forecast for the Council for the next three years, together with a forecast outturn for 2015-16, as set out in Section 2 of Digest No 213 of 6 November 2015.

The Cabinet Member reported that although this was a 3 year financial plan, it was an interim statement as future government support and business rate retention was unknown. The spending pressures as set out on pages 8 and 9 of the report were highlighted and additional income was noted. Reference was made to the Resources Forecast as set out on page 10 along with the budget surplus on page 16.

The recommendations in paragraph 2.1 were highlighted, to which the Cabinet voted on the proposals.

RESOLVED:- that the proposal of the Cabinet Member - Resources Portfolio be approved as follows:-

- (a) the Financial Plan 2015-16 - 2018-19 be noted;
- (b) the forecast outturn for 2015-16 be approved;
- (c) the draft Capital Programme 2015-16 - 2018-19 be noted;
- (d) the General Fund working balance be set at a minimum of £1.0 million;
- (e) the principles set out in the Council's Financial Plan in finalising the preparation of the 2016-17 budget be adopted;

- (f) once details of the 2015 Spending Review and changes to Local Government Funding Regime become known an updated Financial Plan be provided.

**THIS ITEM IS NOT SUBJECT TO CALL IN AND WILL BE REFERRED TO RESOURCES AND CORPORATE SERVICES SCRUTINY COMMITTEE ON 17 NOVEMBER 2015 AND COUNCIL ON 24 NOVEMBER 2015.**

*Councillor R M Smith - In the Chair*

**CAB37 The Plan for Stafford Borough - Part 2 Publication**

Considered a report setting out the summary of responses to the consultation in respect of this matter and to consider the Plan for Stafford Borough - Part 2 Publication and its subsequent referral to Council, as set out in Section 2 of Digest No 213 of 6 November 2015.

(The booklets as referred to in the report were available via the Council's website, and not circulated with the agenda due to their size - copies were available from the Head of Law and Administration upon request).

The Cabinet Member highlighted the recommendations as set out in Paragraph 2 of the report, to which the Cabinet moved directly to voting on the proposal.

RESOLVED:- that the proposal of the Cabinet Member - Planning and Regeneration Portfolio be approved as follows:-

- (a) the responses to the document 'The Plan for Stafford Borough - Part 2 Proposals Consultation Stage' within the Summary of Responses be taken into account, and the changes to the 'Plan for Stafford Borough - Part 2 Publication' (as a result of the responses received), as set out in the appendix to the report be agreed;
- (b) the 'Plan for Stafford Borough - Part 2 Publication' be referred to Council for approval, in order to seek representations on soundness and legal compliance;
- (c) responsibility be delegated to the Cabinet Member for Planning and Regeneration for making any minor amendments of an editorial, conformity or presentational nature that may be necessary to the Publication prior to its submission for the independent Examination.

Councillor P M M Farrington declared a pecuniary interest in this item and left the room, taking no part in the discussion and voting thereon.

**THIS ITEM IS NOT SUBJECT TO CALL IN AND WILL BE REFERRED TO COUNCIL ON 24 NOVEMBER 2015**

**CAB38 Community Infrastructure Levy Draft Charging Schedule - Update**

*Councillor P M M Farrington rejoined the meeting at this point*

Considered a report noting the Government's publication of the Housing and Planning Bill and its impact on the Stafford Borough CIL - Draft Charging Schedule, the restrictions arising from the pooling limits on Section 106 agreements and to agree an assessment in progressing the CIL, subject to further work being undertaken, as set out in Section 2 of Digest No 213 of 6 November 2015.

The Cabinet Member highlighted the recommendations as set out in Paragraph 2 of the report, to which the Cabinet moved directly to voting on the proposal.

RESOLVED:- that the proposal of the Cabinet Member - Planning and Regeneration Portfolio be approved as follows:-

- (a) as a consequence of taking into account the new Housing and Planning Bill (and other issues outlined in the report) the Cabinet's previous decision on 8 October 2015 to progress the Community Infrastructure Levy Charging Schedule be revisited;
- (b) the Draft Charging Schedule agreed by Cabinet on 8 October 2015 not be progressed to Full Council on 24 November 2015 but re-assessed in light of the Housing and Planning Bill (when the details and full implications are known).

**CAB39 Gnosall Neighbourhood Plan - Adoption**

Considered a report recommending the Gnosall Neighbourhood Plan be adopted by Council, as set out in Section 2 of Digest No 213 of 6 November 2015.

The Cabinet Member highlighted the recommendations as set out in Paragraph 2 of the report, to which the Cabinet moved directly to voting on the proposal.

RESOLVED:- that the proposal of the Cabinet Member - Planning and Regeneration Portfolio be approved as follows:-

- (a) the Gnosall Neighbourhood Plan be recommended to Council for adoption to form part of statutory development plan for Stafford Borough and used when determining planning applications in Gnosall Parish;
- (b) the Decision Statement (set out in the appendix to the report) be recommended to Council for approval and be published with the Gnosall Neighbourhood Plan.

The Leader of the Council noted the pleasing turnout figure in the recent referendum and praised the process for dealing with the matter.

**THIS ITEM IS NOT SUBJECT TO CALL IN AND WILL BE REFERRED TO COUNCIL ON 24 NOVEMBER 2015**

**CAB40 The Fulford Conservation Area Appraisal and Proposed Boundary Revisions**

Considered a report setting out the results of the public consultation exercise, the proposed adoption of the Fulford Conservation Area Appraisal as a material consideration in development management decisions and to designate the revised Fulford Conservation Area boundary, as set out in Section 2 of Digest No 213 of 6 November 2015.

The Cabinet Member highlighted the recommendations as set out in Paragraph 2 of the report, to which the Cabinet moved directly to voting on the proposal.

**RESOLVED:-** that the proposal of the Cabinet Member - Planning and Regeneration Portfolio be approved as follows:-

- (a) the revised proposed boundary to Fulford Conservation Area (as set out in appendix 2 of the report be, designated as a conservation area;
- (b) Fulford Conservation Area Appraisal be approved as a formal Council document, to be used as a material consideration and included within the Local Plan evidence base;
- (c) the revised designation be advertised and the relevant bodies notified in accordance with the guidance of the Planning (Listed Buildings and Conservation Areas) Act 1990;

- (d) the owner/occupiers of all properties affected by the revisions to the Fulford Conservation Area be notified of the revised designations and the planning implications.

The Cabinet Member welcomed the local support for the proposals.

**CAB41 The Tixall Conservation Area Appraisal and Proposed Boundary Revisions**

Considered a report setting out the results of the public consultation exercise, the proposed adoption of the Tixall Conservation Area Appraisal as a material consideration in development management decisions and to designate the revised Tixall Conservation Area boundary, as set out in Section 2 of Digest No 213 of 6 November 2015.

The Cabinet Member highlighted the recommendations as set out in Paragraph 2 of the report, to which the Cabinet moved directly to voting on the proposal.

**RESOLVED:-** that the proposal of the Cabinet Member - Planning and Regeneration Portfolio be approved as follows:-

- (a) the revised proposed boundary to Tixall Conservation Area (as set out in appendix 2 of the report), be designated as a conservation area;
- (b) Tixall Conservation Area Appraisal be approved as a formal Council document, to be used as a material consideration and included within the Local Plan evidence base;
- (c) the revised designation be advertised and the relevant bodies notified in accordance with the guidance of the Planning (Listed Buildings and Conservation Areas) Act 1990;
- (d) the owner/occupiers of all properties affected by the revisions to the Tixall Conservation Area be notified of the revised designations and the planning implications.

The Cabinet Member praised the involvement of local residents in this process.

**CAB42 Food Safety Service Plan 2015-2018 and Food Safety Annual Report 2014-2015**

Considered a report proposing that the Food Safety Service Plan 2015-2018 be approved, the adoption of an annual service plan, and the noting

of the Food Safety Annual Report 2014-2015, as set out in Section 2 of Digest No 213 of 6 November 2015.

The Cabinet Member highlighted the emphasis and aims of the plan before noting the recommendations as set out in Paragraph 2 of the report, to which the Cabinet voted on the proposals.

RESOLVED:- that the proposal of the Cabinet Member - Environment and Health Portfolio be approved as follows:-

- (a) the Food Safety Service Plan for 2015 - 2018 be approved;
- (b) the Food Safety Annual Report 2014 - 2015 be noted;
- (c) the Food Safety Service Plan for 2015 - 2018, and Food Safety Annual Report 2014 - 2015 be considered by the Community Services Scrutiny Committee at their meeting on 19 November 2015.

**THIS ITEM IS NOT SUBJECT TO CALL IN AND WILL BE REFERRED TO COMMUNITY SERVICES SCRUTINY COMMITTEE ON 19 NOVEMBER 2015.**

**CAB43 Health and Safety Service Plan 2015-2018 and Health and Safety Annual Report 2014-2015**

Considered a report proposing that the Health and Safety Service Plan 2015-2018 be approved, the adoption of an annual service plan, and the noting of the Health and Safety Annual Report 2015, as set out in Section 2 of Digest No 213 of 6 November 2015.

The Cabinet Member highlighted that this was an update from a previous report, and detailed the Council's role before noting the recommendations as set out in Paragraph 2 of the report, to which the Cabinet voted on the proposals.

RESOLVED:- that the proposal of the Cabinet Member - Environment and Health Portfolio be approved as follows:-

- (a) the Health and Safety Service Plan for 2015 - 2018 be approved;
- (b) the Health and Safety Annual Report 2015 be noted.

**THIS ITEM IS NOT SUBJECT TO CALL IN AND WILL BE REFERRED TO COMMUNITY SERVICES SCRUTINY COMMITTEE ON 19 NOVEMBER 2015.**

#### **CAB44 Sport and Recreation Strategy**

Considered a report seeking to approve a methodology towards finalising the draft Sport and Leisure Strategy, as set out in Section 2 of Digest No 213 of 6 November 2015.

The Cabinet Member highlighted the recommendations as set out in Paragraph 2 of the report, to which the Cabinet moved directly to voting on the proposals.

RESOLVED:- that the proposal of the Cabinet Member - Leisure and Culture Portfolio be approved as follows:-

- (a) the draft Sport and Leisure strategy be endorsed in principle;
- (b) an appropriate independent source be procured to undertake a comprehensive Boroughwide consultation exercise involving community sporting and recreational clubs and appropriate external sporting and recreational organisations.

The Cabinet noted the importance of this report in conjunction with planning matters.

#### **CAB45 Review of Leisure and Culture Services - Part Confidential**

Considered a part confidential report outlining the findings and recommendations of the review into Leisure and Culture Services, as set out in Section 2 of Digest No 213 of 6 November 2015.

Councillor J M Pert provided an overview of the objectives of the review and detailed the structure of the project team. The findings of the review as set out in paragraph 5.3 were noted and tribute was paid to Officers for their efforts in this project.

Continuing, Councillor R M Smith noted previous efficiency savings and successes of the Leisure Service and re-iterated the Council's commitment to the new leisure developments. A minor amendment to page 180 of the report was proposed and duly seconded.

Finally, the Leader of the Council thanked Councillors Pert and Smith, together with the Heads of Leisure and Culture and Policy and Improvement, for their work regarding this matter before noting that this was the start of a lengthy process which would require considerable work in the future. The details of the Special Joint Scrutiny Committee to which all Members of the Council were invited to consider this matter were provided.



In conclusion, the Cabinet Member highlighted the recommendations as set out in Paragraph 2 of the report, to which the Cabinet moved directly to voting on the proposals.

RESOLVED:- that the proposal of the Cabinet Member - Leisure and Culture Portfolio be approved as follows:-

- (a) the principle of the future provision of Leisure and Culture Services should be through a Charitable Trust arrangement be approved;
- (b) formal parks, play areas, corporate events organisation and the administration of Section 106 resources be excluded from the trust arrangement and be retained in-house;
- (c) a project team be established to oversee the process of transferring the Leisure and Culture Services to a Charitable Trust including any necessary procurement process and the implications for staff, with an intended implementation date not later than October 2017;
- (d) the Council be recommended to establish a budget of £150,000 for the project to be partially financed in 2015-16 by the £100,000 reserve set aside as part of the 2014-15 review of service delivery for front line services;
- (e) the implications of the decision to transfer the Leisure and Culture Services to a Charitable Trust be considered, in particular in relation to those staff within scope of the transfer arrangements and those staff remaining with the Council and establish an appropriate communications plan to ensure that differing staffing groups are kept informed of progress and the implementation timetable;
- (f) consideration be given to the protection of terms and conditions of employment including the on-going protection and access to pension rights and benefits for those staff transferring to a Charitable Trust by stipulating the requirement to provide membership of the Local government Pension Scheme via admitted body status;

- (g) the financial and structural consequences on the residual Council of transferring the Leisure and Culture Services to a Charitable Trust be considered at the earliest opportunity to ensure that services (including shared services) remain fit for purpose.

**THIS ITEM IS NOT SUBJECT TO CALL IN AND WILL BE REFERRED TO THE SPECIAL JOINT COMMUNITY/RESOURCES AND CORPORATE SERVICES SCRUTINY COMMITTEE ON 19 NOVEMBER 2015.**

CHAIRMAN