Civic Centre
Riverside
Stafford
ST16 3AQ

16 November 2015

Dear Members

Council Meeting

I hereby give notice that a meeting of the Council will be held in the Council Chamber, County Buildings, Martin Street, Stafford on **Tuesday 24 November 2015 at 7.00pm (**or at the conclusion of the previous Special Council Meeting) to deal with the business as set out on the agenda.

Please note that this meeting will be recorded.

Ian Thompson
Chief Executive

COUNCIL MEETING - 24 NOVEMBER 2015
MAYOR, COUNCILLOR PETER W JONES

A G E N D A

1 Approval of the Minutes of the Meeting of the Council held on 22 September 2015

2 Apologies for Absence

3 Declaration of Interest

4 Announcements (paragraph 3.2(iii) of the Council Procedure rules)

5 Public Question Time

6 Councillor Session

7 Notice of Motion

(a) A Notice of Motion pursuant to Paragraph 13.1 of the Council Procedure Rules has been proposed by Councillor M Bowen and seconded by Councillor R J Draper as follows:-

"Stafford Borough Council recognises the positive contribution that trade unions and trade union members make in our authority. We value the constructive relationship that we have with trade unions and we recognise their commitment, and the commitment of all our staff, to the delivery of good quality public services. We are happy with the arrangements we currently have in place for deducting trade union membership subscriptions through our payroll. We see this as an important part of our positive industrial relations and a cheap and easy to administer system that supports our staff.

This Council further resolves to seek to continue its own locally agreed industrial relations strategy and will take every measure possible to maintain its autonomy with regard to facility time."

(b) A Notice of Motion pursuant to Paragraph 13.1 of the Council Procedure Rules has been proposed by Councillor W J Kemp and seconded by Councillor M Bowen as follows:-

"Stafford Borough Council is totally opposed to the plans being put forward by Stafford and Surround Clinical Commissioning Group to involve the private sector in the Transformation of Cancer Care and End of Life programme.

This Council is opposed to the privatisation of NHS services and calls on Stafford and Surround CCG to listen to the clearly expressed views of local residents opposing the plans.

Stafford Borough Council calls on Stafford and Surround CCG to bring forward plans that do not involve the private sector."

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Chief Executive

Civic Centre
Riverside
Stafford
ST16 3AQ

ITEM NO 8 **ITEM NO 8**

Report of:	**Head of Finance**
Contact Officer:	**Emma Fullagar**
Telephone No:	**01543 464720**
Ward Interest:	**Nil**
Report Track:	**Cabinet 5/11/15 Resources 17/11/15 Community 19/11/15 Council 24/11/15**

COUNCIL

24 NOVEMBER 2015

Fees and Charges Review 2016

The following report was considered by Cabinet at its meeting held on 5 November 2015, Resources Scrutiny Committee on 17 November 2015 and by the Community Services Scrutiny Committee on 19 November 2015, and is submitted to Council for consultation. Any amendments made at the various meetings will be discussed with Members.

1 Purpose of Report

1.1 The purpose of this report is to propose to the Council the Fees and Charges for 2016.

2 Decision of Cabinet

2.1 That the proposed Fees and Charges for 2016 be recommended to Council for approval.

3 Key Issues

3.1 The report sets out the proposed changes to Fees and Charges for 2016.

4 Relationship to Corporate Priorities

4.1 This report supports all of the Council's Corporate Priorities.

5 Background

5.1 The proposed increases to Fees and Charges to take effect from 1 January 2016 are contained within the **BOOKLET** as circulated with this agenda.

5.2 There has been no general increase guideline proposed for 2016.

In setting fees it should be noted that the employee cost of services will increase by some 4% in April, reflecting the removal of the National Insurance Rebate for Public Sector employers, the provision for a 1% pay award and increases in superannuation arising from the 2013 Actuarial Valuation.

6 Implications

6.1	**Financial**	As set out in the report
	Legal	As set out in the report
	Human Resources	As set out in the report
	Human Rights Act	As set out in the report
	Data Protection	As set out in the report
	Risk Management	The risk issues contained in this report are not strategic and therefore should not be included in the Strategic Risk Register. The level of income generated by the Council from fees and charges is a key risk as a number of the Council's main income streams are sensitive to adverse economic conditions and can vary significantly as a result.

6.2	**Equality and Diversity**	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

Cabinet - 5 November 2015 - Minute No 35/15
Resources and Corporate Services Scrutiny Committee - 17 November 2015
Community Services Scrutiny Committee - 19 November 2015

Background Papers

File available in Financial Services

ITEM NO 9 **ITEM NO 9**

Report of:	**Head of Finance**
Contact Officer:	**Bob Kean**
Telephone No:	**01785 619241**
Ward Interest:	**Nil**
Report Track:	**Cabinet 5/11/15 Resources 17/11/15 Council 24/11/15**

COUNCIL

24 NOVEMBER 2015

Financial Plan 2015-16 - 2018-19

The following report was considered by Cabinet at its meeting held on 5 November 2015 and by Resources and Corporate Services Scrutiny Committee on 17 November 2015 and is submitted to Council for consultation. Any amendments will be discussed with Members.

1 Purpose of Report

1.1 The purpose of this report is to present an updated financial forecast for the Council for the next three years together with a forecast outturn for 2015-16.

2 Decision of the Cabinet

2.1 That:-

(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 be adopted in finalising the preparation of the 2016-17 budget;
(f) an updated Financial Plan be provided once details of the 2015 Spending Review and changes to Local Government Funding Regime become known

3 Key Issues

3.1 The report sets out the Council's forecast financial position for the next three years incorporating anticipated spending pressures and savings already identified. Financial resources available to the Council over the three year period are also set out. The Financial Plan reflects the Governments current Funding Regime.

3.2 The Financial Plan represents only an interim statement since details of the actual Governments financial settlement for 2016-17, arising from the 2015 Spending Review (due to be announced on the 25 November), will not be known until mid to late December. In addition, the Chancellor of the Exchequer has recently announced a fundamental change in the way in which Local Government is funded with 100% of Business Rates to be retained within the Local Government sector by 2019-20.

3.3 The Financial Plan therefore represents a refresh of the assumptions as contained in the Approved Financial Plan (Council 3 February 2015) taking into account the outturn for the last financial year and the first six months of the current financial year.

3.4 The details of the new regime and its implementation timetable are fundamental cornerstones for the validating of current assumptions and development of the Medium Term Financial Plan for the Authority. Hence an analysis of the Spending Review and its implications for the Financial Plan will be subject to a separate report as soon as such details are available.

4 Relationship to Corporate Priorities

4.1 The revenue budget and capital programme reflect the Council's priorities.

5 Background

5.1 **Background**

5.1.1 The Financial Plan sets the framework for the determination and setting of the budgets for Revenue and Capital and ultimately arriving at the level of Council Tax to be set for the next Financial Year.

5.1.2 The Financial Plan for 2016-17 to 2018-19 is somewhat different from previous years in the sense that:-

- No indicative settlement exists for 2016-17(and hence subsequent years)
- The outcome of the Governments Spending Review will not be announced until the 25 November 2015 and the settlement for Stafford Borough not known until mid to late December
- The Chancellor has recently announced a fundamental change in the way in which Local Government is funded with 100% of Business Rates to be retained within the Local Government sector by 2019-20

5.1.3 No details are yet available in relation to the new proposed funding regime and such details are likely to be outlined as part of the Spending Review and then by a series of Consultation Documents thereafter. It is very unlikely that the scheme will start to be implemented until 2017-18 at the earliest.

5.1.4 The Financial Plan is therefore an interim one as such which refreshes the assumptions as contained in the Approved Financial Plan (Council 3 February 2015) and reflecting the current Financial Regime of Local Government funding.

5.2 The Current Approved Financial Plan

5.2.1 Council adopted its current Financial Plan at its meeting on 3 February 2015. The recommendation from Cabinet, as adopted by Council, set the revenue and capital budget for 2015-16, together with indicative budgets for 2016-17 and 2017-18. The Financial Plan now requires the forecast financial position to be determined for 2018-19.

5.2.2 The annual budget setting process now sets details budgets, based upon the Councils' approved budget strategy, for each of the three years of the Financial Plan period, with a balanced budget set in February 2015 covering the period to 2017-18 as shown in Table 1.

Table 1 Approved Budget as at 3 February 2015

	2015-16 £'000	**2016-17 £'000**	**2017-18 £'000**
Net Expenditure	14,040	14,010	14,356
Funding Resources	(14,270)	(14,567)	(14,608)
Surplus	**(230)**	**(557)**	**(252)**

5.3 2016-17 to 2018-19 Financial Plan - Revenue

5.3.1 In refreshing the current Financial Plan account has been made to changes in the provision for inflation; cost pressures together with additional income generated.

Inflation

5.3.2 No material changes have been made to the inflation assumptions as contained in the current Financial Plan. The Summer Budget extended the 1% cap on public sector workforces for 4 years from 2016-17 and this is in line with existing pay award assumptions.

Spending Pressures

5.3.3 The detailed budgets have been refreshed to reflect the outturn for 2014-15 and latest spending patterns. No additional, material, cost pressures have been identified to date whereas minor reductions in expenditure have occurred as a result of rateable value changes.

5.3.4 Additional costs have however arisen from the Summer Budget whereas existing commitments will impact on 2018-19 .Provision has been made for the impact of the introduction of the National Living Wage in 2016-17 and its phased increase in future years to the Governments Target of over £9.00 by 2020. The 2018-19 budget also makes provision for Employer Contributions to increase by a further 2% as a result of the next triennial Actuarial Valuation of the Pension Fund, additional costs of demographic growth on the refuse

contract and the current discounts on the contract extension and inflation savings falling out.

Additional income

5.3.5 The Council continues to monitor budgets on a monthly basis and submits regular reports to Scrutiny as part of its Corporate Monitoring. A recent trend in the reports, including the 2014-15 outturn position (as compared with the original budget) is increased income from fees and charges. The April to September monitoring statement shows the following sources of additional income for 2015-16 and these have been included in the Forecast Outturn for 2015-16:-

- Development Control - Income from Planning Fees exceeded the budget by £558,000 in 2014-15 and, as at period 6, income is some 82% of its overall budget for 2015-16. Planning Fees in relation to Major Applications, as at the end of September, amounted to £255,891 with an annual budget of £170,000. A favourable forecast outturn variance of some £150,000 is therefore expected in relation to Planning Fees.

- Bereavement Services - Income from fees and charges was some £150,000 better than expected in 2014-15 and is currently £25,000 higher than expected in the current year. The forecast outturn estimates additional income of some £34,000.

- Land Charges - Additional income from local land charges searches was some £70,000 better than expected in 2014-15 and is currently £20,200 higher than expected in the current year. No provision has been made for any additional income with revised regulations now determining the amount of recovery allowable in setting such charges. The transfer of elements of the Land Charges service to Land Registry, although likely to be later than originally anticipated , and the revised recovery regulations will reduce income levels by the order of £90,000 per annum.

In addition to the above income from Off Street Parking; Leisure and Regulatory Services all show favourable variances for the first six months of the year, whereas Markets and Waste and Recycling are down on budget.

5.3.6 In relation to future years, with the exception of Bereavement Services, no provision has been made for the ongoing effect of such additional income. The additional Development Control Income in 2015-16 primarily relates to exceptionally high fees for major applications.

5.3.7 Income levels together with underspends on supplies and services are currently subject to review as part of the preparation of detailed Portfolio Budgets for consideration by Cabinet and Scrutiny later in the budget cycle.

Investment interest

5.3.8 Income from Investment interest has reduced considerably as a result of the bank rate remaining at 0.5% since March 2009, and the application of usable reserves to finance the Capital Programme. The amount of investment income depends on the level of cash balances held and on interest rates. It is still uncertain when the Bank Rate will change and hence no material changes to the assumptions in the current Financial Plan are therefore envisaged at this stage.

Available Revenue Resources

5.3.9 The Council's revenue budget covers day to day spending on the services provided by the Council. It is currently financed from the following sources:-

- Central government grant called Revenue Support Grant (RSG)
- Business Rates Retention Scheme
- New Homes Bonus Grant
- Council Tax income; and
- Use of reserves - both general and earmarked

5.3.10 Three changes have been made to the Resources Forecast as approved by Council in February notably:-

- **New Homes Bonus Grant** - The New Homes Bonus grant is a six year rolling programme that commenced in 2011-12. The cumulative level of grant for 2015-16 amounts to £1.686 million with the approved 2016-17 forecast of £2.286 million, incorporating the new homes at beacon barracks.
  The latest estimates based upon the Council Tax Base as at the beginning of October indicates that New Homes Bonus will now amount to £2.547 million, an increase of £261,000 over the original estimate.

- **Business Rates Retention-** No material changes are envisaged in relation to income retained from Business Rates over the duration of the Financial Plan. A large number of appeals are still outstanding however provision was made in the 2014-15 final accounts for back dated costs covering 2010-11 to 2014-15 and this will result in a reduction in the provision required in future years. Variations do occur between years reflecting changes to the assumptions in relation to new developments nevertheless overall income is in line with the 2015-16 to 2017-18 Financial Plan.

- **Council Tax Base** - The Council Tax Base continues to increase reflecting the upturn in the number of new properties being built as reflected in the New Homes Bonus allocations. The assumptions have now been refreshed to take into account the experiences over the last 12 months and developments in progress. The Council Tax Base is now expected to increase by 1.5% per annum as compared to the 1.0% increase anticipated for 2016-17.

5.3.11 In relation to Central Government Grant (RSG &Business Rates Baseline) no changes have been made to the assumptions and figures approved in February of this year. The outcome of the Governments Spending Review is due to be announced on 25 November 2015 however the actual settlement for each authority is unlikely to be known until late December. The Formula Grant figures included in the Financial Plan include our best estimates for 2016-17 to 2018-19 based on the assumption that the Revenue Support Grant element will effectively disappear in 2019-20.

Council Tax

5.3.12 No increase in **Council Tax** has been assumed over the period with the increase in Council Tax solely relating to new properties. The council has previously received an additional Government Grant to compensate authorities for freezing (or reducing Council Tax) however no indications have been given whether this will similarly apply to 2016-17 and future years.

Forecast Budget Surplus

5.3.13 Council at its meeting of the 3 February set a Balanced Budget for 2015-16 and proposals that ensured an indicative balanced budget for 2016-17 and 2017-18. The updated position is shown in **APPENDIX 1** with a forecast surplus in each of the years as shown in Line 19 of the Appendix.

5.3.14 A comparison of the previous position as at the 3 February 2015 together with the latest Financial Plan is shown in the Table below. An analysis of the changes to date is detailed in **APPENDIX 2**.

Table 2 Forecast Surplus as per 5 November Financial Plan				
	2015-16 £'000	2016-17 £'000	2017-18 £'000	2018-19 £'000
Budget Surplus (Council – 3 Feb)	(230)	(557)	(252)	(252)
Changes to date	(371)	(190)	(434)	1,005
Financial Plan – (Surplus)	**(601)**	**(747)**	**(686)**	
Deficit				**753**

Detailed Revenue Budget 2016-17

5.3.15 The plan currently assumes the continuation of the borrowing requirement for Stone Leisure Strategy, however the predicted increase in surpluses to 2017-18 and available capital resources now available are likely to negate that need. The actual borrowing requirement will be assessed as part of this year's budget process.

5.3.16 **APPENDIX 3** sets out the timetable for the completion of the 2016-17 budget. The starting point is the base budget for the 2015-16 financial year, and indicative budgets for 2016-17 and 2017-18 reflecting the current level of services provided by the Council including spending on its priorities.

5.3.17 The detailed budget for each of the three years covered by the Financial Plan will be refreshed based upon the outturn for 2014-15; monitoring up to 30 September 2015 and any other known changes that have arisen since last years detailed budgets were prepared. It is essential that the Council is diligent in reviewing its budgets and in particular any potential underspends or efficiency savings are identified.

5.4 Medium Term Financial Outlook

5.4.1 The Financial Plan as outlined previously represents an interim position awaiting the outcome of the 2015 Spending Review and the proposed reforms of Local Government Finance.

5.4.2 In relation to the latter the Chancellor of the Exchequer announced a series of major reforms to Local Government finance on 5 October 2015. These included:-

- That by the end of the Parliament, local government will be able to retain 100% of local taxes – including all £26 billion of revenue from business rates.

- The government will abolish the Uniform Business Rate and give local authorities the power to cut business rates to boost economic activity in their areas.

- Local areas which successfully promote growth and attract businesses will keep all of the benefit from increased business rate revenues.

- The core grant from Whitehall will be phased out, and local government will take on new responsibilities.

5.4.3 No details of these proposals are available and are unlikely to be available until after the end of the Spending Review and hence any analysis is purely speculative.

5.4.4 The likely potential benefit to Stafford Borough from the benefits is in relation to retaining the levy it pays on increased business rates above its baseline. The authority has, by being a member of the Staffordshire and Stoke on Trent Business Rates Pool, retained 40% of that levy and hence the likely dissolution of the pool will return the balance of 60%.

5.4.5 It is inevitable that any change to the funding of Local Government will need to be contained within the Control totals already set by central government and re-emphasised in the Summer Budget and the framework set for the spending review. In particular Government departments have been set targets for spending reductions of between 25% to 40% by 2019-20. The DCLG's Permanent secretary has recently confirmed that the retention of business rates will be fiscally neutral.

5.4.6 The retention of rates is therefore likely to see all other forms of Government Grant disappearing and this potentially will involve New Homes Bonus,

Better Care Fund etc. whereas other forms of Government Funding to the Police etc. may be rolled in. Any new regime will need to address the additional cost pressures occurring to Local Government up to 2019-20 and in particular the issues facing higher tier authorities as highlighted by the Local Government Association.

5.4.7 An extrapolation of the draft Financial Plan including the ending of Revenue Support Grant identifies an additional shortfall of £0.428 million in 2019-20.

5.4.8 The details of the new regime and its implementation timetable are fundamental cornerstones for the validating of current assumptions and development of the Medium Term Financial Plan for the Authority. Hence an analysis of the Spending Review and its implications for the Financial Plan will be subject to a separate report as soon as it is available.

5.5 Reserves and Balances

5.5.1 Reserves and Balances comprise the Council's general reserves, the working balance, and earmarked reserves. The general strategy for using unallocated reserves is that they are used to meet shortfalls in the net budget during the year. This is particularly important in the current economic circumstances when sources of income are particularly volatile.

The Working Balance

5.5.2 The Councils current policy is to maintain the level of the General Fund balance at a minimum of £1.0 million. The General Fund balance at 1 April 2015 was £2.001 million resulting in £1.001 million remaining to support the revenue Budget.

5.5.3 In setting the 2015-16 budget (and indicative budgets for 2016-17 and 2017-18) significant surpluses were envisaged for each of the years amounting to just over £1.039 million with £1.0 million allocated to support the Capital Programme. The projections as contained in this report indicate that a further £0.995 million will be added to balances over the period. In determining the budget for recommendation to Council in February 2016 due consideration will be given to the use of a Revenue Contribution to Capital Outlay to offset the need to borrow in addition to maintaining reserves to support the overall budget.

5.5.4 The Chartered Institute of Finance and Accountancy (CIPFA) guidance states that a well-managed authority with a prudent approach to budgeting should be able to operate with a relatively low level of general reserves and that, in assessing the level of reserves, the Section 151 officer should take into account the strategic, operational and financial risks facing the authority. **APPENDIX 4** highlights the risk areas that need to be taken into consideration when deciding on the minimum level of the General Fund balance.

Earmarked Reserves

5.5.5 The Council maintains a number of earmarked reserves which have been set aside for specific risks, for known future spending requirements or for specific projects.

5.5.6 Earmarked Reserves as at 31 March 2015, amounted to £14.137 million (excluding the business rates reserve) and based on the Financial Plan assumptions, are expected to reduce to £6.8 million by March 2019. The actual level will vary as the utilisation of Ring Fenced Grants and General Earmarked Reserves are approved over the duration of the Financial Plan. A full review is to be undertaken as part of the preparation of the 2016-17 and subsequent years budget and will form part of Cabinets Budget recommendations.

5.6 **Capital Programme 2015-16 - 2018-19**

5.6.1 Council approved the current capital programme in February 2015 and the list of schemes included in the programme is set out in **APPENDIX 5** for information. The programme has been reviewed to reflect slippage from the 2014-15 financial year, new schemes approved by Council since the programme was approved in February 2015 as well as changes in circumstances that have impacted on schemes in the Programme.

5.6.2 No Provision has been made for any new schemes at this stage with the Capital Programme and Asset Management Plan subject to detailed review as part of the Budget Process.

5.6.3 Available resources have increased as a result of additional Right to Buy receipts in 2014-15 and anticipated capital receipts from land disposals in relation to the Western Access Road; and Land at Marston Road and North Walls. The latter has also freed up existing resources within the Capital Programme and the requirement for compensating car parking (Long Stay) will require additional provision within the Capital Programme.

5.6.4 The estimated level of uncommitted capital resources, before the inclusion of new schemes and Asset Management requirements, as at 31 March 2019 is currently estimated to be £2.5 million **(APPENDIX 6)**.

5.6.5 Currently uncertainty exists as to both the resource position and demand for disabled facilities grants from 2016-17. The requirement within the transfer agreement to Stafford and Rural Homes to provide £0.450 million of funding for disabled facilities grants ends on the 31 March 2016. In addition it is not known with any certainty when the announcement on Better Care Funding will be made and whether the existing passporting of funding back from Staffordshire County Council will continue and at what level. Within the capital programme proposed we have assumed no change until the position becomes clearer.

5.6.6 The draft Housing and Planning Bill which is going through the legislative process includes changes which cast doubt over whether the authority will

continue to be able to receive the Right to Buy receipts from Stafford and Rural Homes. Within the forecast resources these are estimated at £0.5 million over the period 2016-17 to 2018-19.

6 Implications

6.1	**Financial**	The Financial Implications have been referred to through out the report. The outcome of the Spending Review together with Potential changes to the funding of Local Government will impact on the validity of the Financial Plan and hence the current plan can only be an interim statement. The Financial Plan however represents the Financial Position of the Council based upon all known facts as at this date and is in line with assumptions of other councils; the Local Government Association and professional advisors within the Public Sector.
	Legal	
	Human Resources	
	Human Rights Act	
	Data Protection	
	Risk Management	

6.2	**Equality and Diversity**	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 - Cabinet - 5 November 2015 - Minute No 35/15
Resources and Corporate Services Scrutiny Committee - 17 November 2015

Background Papers - File available in **Financial Services**

APPENDIX 1

	DRAFT FINANCIAL PLAN - REVENUE OCTOBER 2015				
		2015-16 £'000	2016-17 £'000	2017-18 £'000	2018-19 £'000
Line No.	**Portfolio spending**				
1	Base (Council 3 February 2015)	13,506	13,754	13,979	13,979
2	Pay inflation				125
3	Other inflation				247
4	Income				-199
5		13,506	13,754	13,979	14,152
6	Known variations	-210	40	111	1,000
7		13,296	13,794	14,090	15,152
8	Investment Income/Technical Items	464	306	427	427
9	Net spending	13,760	14,100	14,517	15,579
	Financed By				
10	Formula Grant	-2,066	-1,368	-780	-316
11	New Burdens	-58	-37	-37	-37
12	Business Rates Retention	-3,598	-3,791	-4,182	-4,279
13	BRR- Pooling Arrangements	-415	-470	-606	-624
14	New Homes Bonus Grant	-1,686	-2,547	-2,897	-2,803
15	Special grant – Council Tax freeze	-69	-69	-69	-69
16	Council Tax	-6,469	-6,565	-6,632	-6,698
17	Net financing	-14,361	-14,847	-15,203	-14,826
18	Efficiency Requirement				753
19	Surplus Ref to Working Balances	-601	-747	-686	
20	Provisional Additional RCCO				
21	Revised Surplus				

APPENDIX 2

REVENUE KNOWN VARIATIONS TO APPROVED BUDGET

Line No.		2015-16 £'000	2016-17 £'000	2017-18 £'000	2018-19 £'000
	Known Variations				
	Approved /Committed Variations				
1	Waste Management Contract	-	-	-	438
2	National Living wage	0	9	26	28
3	Sub Total	0	9	26	466
	Potential Variations				
4	Inflation				
5	Employees Turnover Increments etc	-45	-	-	166
6	Cost Pressures	50	30	30	73
7	Rating Revaluations	-19	-19	-19	-19
8	Actuarial Valuation	-	-	-	160
9	Capital Financing	-	-54	-	-
10	Land Charges	-	90	90	90
11	Income Variations	-196	-16	-16	-16
12	Contribution from Reserves	-	-	-	80
13	Sub Total	-210	31	85	534
14	Total Known Variations	**-210**	**40**	**111**	**1,000**
15	Investment & Technical				
16	Cost Pressure - RCCO	0	50	50	50
17	Inflation	-70			
18		-70	50	50	50
19	Net spending	-280	90	161	1,050
	Financed By				
	Potential Variations				
20	Inflation				-267
21	Government Funding				480
22	Business Rates Growth Rephasing	-91	13	-29	-38
23	Council Tax Base		-32	-33	-33
24	New Homes Bonus - MOD		-261	-533	-361
25	Net financing	-91	-280	-595	-219
26	Surplus Ref to Working Balances	-371	-190	-434	831
R1	As approved By Council	-230	-557	-252	-252
R2	Variations	-371	-190	-434	831
R3	Inflation				174
R3	Revised	-601	-747	-686	753

APPENDIX 3

BUDGET PROCESS 2016/2017

Date	**Meeting**	**Subject/Report**
2015		
30 September	Leadership Team	Financial Plan 2016/17 to 2019/20 Fees and Charges 2016
5 November	Cabinet	Financial Plan 2016/17 to 2019/20 Fees and Charges 2016
17 November	Resources and Corporate Services Scrutiny Committee	Scrutiny of Cabinet decision on Financial Plan 2016/17 to 2019/20 and Fees and Charges 2016
19 November	Community Services Scrutiny Committee	Scrutiny of Cabinet decision on Fees and Charges 2016
24 November	Council	Consideration of Cabinet decision and any comments of Resources and Corporate Services Scrutiny Committee on Financial Plan 2016/17 to 2019/20 and approval of Fees and Charges 2016
8 December	Cabinet	Detailed portfolio budgets, initial overall budget report for 2016/17 and the capital programme for 2015/16 to 2018/19
15 December	Community Services Scrutiny Committee	Scrutiny of Cabinet decision on detailed portfolio budgets and the capital programme for 2015/16 to 2018/19 for Community, Environment, Leisure and Planning and Regeneration
2016		
14 January	Resources and Corporate Services Scrutiny Committee	Scrutiny of Cabinet decision on detailed portfolio budget and the capital programme for 2015/16 to 2018/19
21 January	Cabinet	Consideration of any comments back from Scrutiny Committees on detailed portfolio budgets, the capital programme for 2015/16 to 2018/19 (incorporating 2015/16 slippage for approval) together with presentation of the final overall budget report for 2016/17
2 February	Council	Consideration of the Cabinet's proposals for the final overall budget report for 2016/17 and the capital programme report for 2015/16 to 2018/19
23 February	Council	Council Tax setting meeting

APPENDIX 4

Working Balance - Financial Risks facing the Authority		
RISK	**Level of risk**	**Explanation of risk/justification for cover**
Inflation	Medium	Inflation has been included in the Financial Plan in accordance with Government policy.
Investment interest	Medium	The amount earned depends on the prevailing interest rates and the level of cash balances held.
Major income sources:		
• Planning fees	Medium	Dependent on economic conditions.
• Land charges fees	Medium	Dependent on the housing market / basis of determining recoverable expenses/ proposed transfer to Land Registry.
• Car parking	Medium	Certain amount of volatility based on demand.
• Indoor leisure cents	Medium	Dependent on economic conditions.
• Borough Markets	Medium	Dependent on occupancy levels.
• Environmental services	Low	Licensing income dependent on renewals.
• Bereavement services	Low	Some risk as it is a main source of income.
Spending pressures:		
• Indoor leisure centres	Medium	Indoor leisure centres require active budgetary control.
• Waste and recycling targets	Low	The Council will need to reach recycling targets in order to maximise income from recycling credits and avoid penalties. Recycling Credit regime operated by County Council
Funding Sources		
• New Homes Bonus	Medium	Although allocations for 2016-17 can be predicted accurately, the future level of funding is dependant upon completions of new properties and how much of the New Homes Bonus is subject to top slicing within overall (Govern. Funding).
• Volatility in Business Rates	Medium	The Council will be exposed to volatility or reduction in its business rates due to the failure or temporary closure of a key industry and successful back dated appeals against Rateable Values. Although this gives councils greater freedoms and removes dependency on central funding it passes on greater risks core funding will reduce if Business

Working Balance - Financial Risks facing the Authority		
RISK	**Level of risk**	**Explanation of risk/justification for cover**
		Rates contracts.

APPENDIX 5

	GENERAL FUND CAPITAL PROGRAMME					
			2015/16	**2016/17**	**2017/18**	**2018/19**
			Indicative			
			£000	**£000**	**£000**	**£000**
ENVIRONMENT						
	Streetscene equipment		119	80	80	80
	Waste Contract - replacement wheeled bins		56	100	100	100
	Waste Container - renewal and replacement		27	-	-	-
	Streetscene Fleet Procurement		574	-	-	-
	Crematorium - Chapel Boiler Replacement		-	-	-	-
	Riverway Site Improved Depot Facilities		101	-	-	-
	Total		**877**	**180**	**180**	**180**
COMMUNITY						
	Disabled Facilities Grants		576	570	570	570
	Sundry Housing Grants		184	-	-	-
	S&RH Affordable Housing		124			-
	Improvements at Glover St caravan site		143	-	-	-
	CCTV upgrade		168	-	-	-
	Empty Homes		93	-	-	-
	Jubilee Grants		6			
	Kingston LNR		9	-	-	-
	Total		**1,303**	**570**	**570**	**570**
LEISURE						
	Stone Leisure Strategy		900	4,800	300	
	Stafford Leisure Centre - Fitness Equipment		335	-	-	-
	Stafford Castle - Protective System for Parking Area		9	-	-	-
	Stafford Castle - H&S Works		28	-	-	-
	Castle Motte		49	-	-	-
	Gatehouse MET Studio Refurbishment		-	-	-	-
	Gatehouse - Box Office Software		-	-	-	-
	Gatehouse - Digital Projector		-	-	-	-
	Rowley Park - Sports Stadium		34	-	-	-
	Rowley Park - Tennis Court Resurfacing		-	-	-	-
	Rowley Park - CCTV		-	-	-	-
	Rowley Park - Athletics Track		-	-	-	-
	Brook Glen Rd Open Space		10	-	-	-
	Multi Use Games Area Walton, Stone		65	-	-	-
	Riverway Sports Improvements		23	-	-	-
	Ingrestre Leisure Facilities		13	-	-	-
	Victoria Park Refurbishment	*1	28	800	-	-
	Wildwood Park Facilities Refurbishment		-	-	-	-
	Rowley Park Athletics Track		4			
	Charnley Road Destination Park		340	-	-	-
	Swynnerton Village Hall Grounds		34	-	-	-
	Total		**1,872**	**5,600**	**300**	**-**

	GENERAL FUND CAPITAL PROGRAMME				
		2015/16	**2016/17**	**2017/18**	**2018/19**
		Indicative			
		£000	**£000**	**£000**	**£000**
PLANNING AND REGENERATION					
	Waterscape	87	-	-	-
	Waterscape path - central Riverside	250	-	-	-
	Growth Point capital	766	-	-	-
	Stafford Town Centre Enhancement	70	-	-	-
	Contribution to MSCP	750	-	-	-
	Solar Panel Farm at Riverway	5	-	-	-
	Doxey Road Car Park	115			
	SDVS North Walls Car Park	-	-	-	-
	St Albans Rd Former Tip Site	9	-	-	-
	Pearl Brook Path Improvements	150			
	Market Cooling System	43	-	-	-
	Total	**2,245**	**-**	**-**	**-**
RESOURCES					
	PC Replacement Programme	50	50	50	50
	Replacement San Server	70	-	-	-
	Civic Centre - ground floor reconfiguration	-	1,250	-	-
	Stone Area Office Boiler Replacement	3	-	-	-
	Provision to Commute Car Park Sharing arrangement	100	-	650	-
	Total	**223**	**1,300**	**700**	**50**
TOTAL CAPITAL PROGRAMME		**6,520**	**7,650**	**1,750**	**800**
*1	Subject to Heritage Lottery Scheme Approval				

APPENDIX 6

DRAFT FINANCIAL PLAN - CAPITAL RESOURCEs OCTOBER 2015

	2015-16 £'000	2016-17 £'000	2017-18 £'000	2018-19 £'001
Portfolio spending				
Environment	877	180	180	180
Community	1,303	570	570	570
Leisure	1,872	5,600	300	0
Planning & Regeneration	2,245	0	0	0
Resources	223	1,300	700	50
Total Expenditure	6,520	7,650	1,750	800
Financed By				
Balance B./fwd Capital	-7,350	-5,370	-3,114	-2,435
Balance B./fwd Capital S106				
Right to Buy	-225	-200	-150	-150
VAT Shelter	-650			
Grants	-570	-570	-570	-570
Capital Receipts	-1,631	-456	-56	-56
Section 106	-340	-700		
Other	-75			
Borrowing		-2,000		
RCCO	-644	-398	-225	-50
Reserves	-405	-1,070	-70	-70
Total Financing	**-11,890**	**-10,764**	**-4,185**	**-3,331**
Balance C/fwd.	-5,370	-3,114	-2,435	-2,531
Less Section 106				
Net Balance Available	**-5,370**	**-3,114**	**-2,435**	**-2,531**

ITEM NO 10

ITEM NO 10

Report of:	**Head of Law and Administration**
Contact Officer:	**A R Welch**
Telephone No:	**01785 619204**
Ward Interest:	**Nil**
Report Track:	**Council 24/11/15 (Only)**

COUNCIL

24 NOVEMBER 2015

Review of Members' Allowances

1 Purpose of Report

1.1 To advise Members of the recommendations of the Independent Panel on Members Allowances.

2 Recommendation

2.1 That the Council consider the Report and recommendations of the Independent Panel as set out in the **APPENDIX** and

(a) determine whether to accept the Panel's recommendation to amend the current Scheme of Members Allowances with effect from 1 October 2015 as set out in the **APPENDIX** and **ANNEX 1**

(b) make a scheme of allowances for the period from 1 April 2016 having regard to the Panel's recommendations set out in the **APPENDIX** and **ANNEX 1**

(c) make a Scheme of Members Allowances for use by Parish Councils having regard t the Panel's recommendations set out in the **APPENDIX** and **ANNEX 2**.

3 Key Issues

3.1 The Council's current Scheme of Allowances expires at the end of April 2016. The Scheme was made on the basis of recommendations made by the Independent Panel on Members Remuneration before the implementation of the recommendations of the Boundary Commission for England to reduce the number of members from 59 to 40 in May 2015.

3.2 It is open to the Council to amend the current Scheme of Allowances at any time having regard to the recommendations of the Independent Panel on Members Remuneration

3.3 The Council is required to make a new Scheme of Allowances to take effect from 1 April 2016 having regard to the recommendations of the Independent Panel on Members Remuneration.

4 Relationship to Corporate Priorities

4.1 Leading and delivering for our community

5 Background

5.1 In accordance with the Local Authorities (Members Allowances) (England) Regulations 2003, Local Authorities are required to have in place a Members' Allowances Scheme. The Council is required to establish an Independent Panel on Members' Remuneration and to have regard to its recommendations in making its scheme. The Council has to make a scheme each year but the panel can recommend a scheme for up to 4 years with indexation.

5.2 The Independent Panel has met every 4 years since 2004 to recommend a scheme for the following 4 years with indexation for the intervening years. The Panel last met to consider the whole scheme in 2011 and recommended a scheme to for the period from 1 April 2012 until 31 March 2016 with indexation to RPI. The Panel met again in 2013 to consider the Leader's and Group Leaders' allowances only. The Council's current Scheme was agreed at the meeting of the Council held on 24 February 2015. It was noted that the Independent Panel would convene during 2015/16 to recommend allowances for 2016/17 onwards.

5.3 In May 2015 the recommendations of the Boundary Commission for England on the electoral arrangements for the Council were implemented. The number of Councillors was reduced from 59 to 40 with a resultant increase in the geographical area and/or number of electors served by each member. This change was not anticipated when the Panel met in 2011 or 2013 and was not taken into account in the Scheme approved in February 2015. The Independent Panel was convened this year to consider both the current scheme and the scheme for 2016/17 to 2019/20 in the light of the change in the Council's structure.

5.4 The Panel met on two occasions. The Report of the Panel containing its recommendations is attached as an **APPENDIX**. The Panels recommended scheme is set out in **ANNEX 1** to the Report.

5.5 The scheme proposed by the Panel set out in **ANNEX 1** would increase allowances but would be contained within the 2015/16 budget. The budget for members' allowances was cut by £40,000 for 2015/16 to take

into account the reduction in the number of members. The proposed scheme, if implemented with effect from 1 October 2015 as recommended would save an additional £23,000 against the 2015/16 budget. In a full year the savings against the 2015/16 budget would be £10,000. The total cash savings in a full year against the 2014/2015 budget would be £44,000 (£50,000 inclusive of inflation)

5.6 The Council is also required to approve a scheme for use by Parish Councils in the Borough. The proposed scheme is set out in **ANNEX 2**.

5.4 It is intended that the Independent Panel reconvene during 2019 to recommend allowances for the period from 2020until 2024.

6	**Implications**

6.1	**Financial**	The cost of implementing the revised scheme is within the proposed budget for 2015/2016. Details are set out in Paragraph 5.5.
	Legal	Nil
	Human Resources	Nil
	Human Rights Act	Nil
	Data Protection	Nil
	Risk Management	Nil

6.2	**Equality and Diversity**	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 Law and Administration

APPENDIX

COUNCIL

24 NOVEMBER 2015

Review of Members' Allowances

Report of the Independent Panel - Review of Members Allowances

Membership of the Panel

Mr T Townsend	Resident of the Borough and Retired Head of Service in Local Government
Mr S Hashmi	Chief Executive - VAST
Mrs J Gratton	Deputy Chief Executive - Staffordshire Chambers of Commerce and Industry Ltd

1 Remit - To make recommendations to the Council on the adoption of a scheme for Members Allowances in pursuance of the Local Authorities (Members Allowances) (England) Regulations 2003.

2 The Panel met on two occasions, firstly on 23 July 2015 to review the requirements of the Regulations and determine the information required to undertake the review, secondly on 10 September 2015 to consider the further information requested at the first meeting and to interview the two Group Leaders, and three further Members, including an Independent Councillor.

3 In reaching their conclusions on the proposed allowances the Panel took into account all matters brought to their attention including:-

- The change in the structure of the Council from 59 members to 40
- The level of resources available to the Council
- The frequency of meetings of the various committees
- The time spent by members on Council business
- The level of responsibility carried
- The information and views given by the members interviewed
- The level of allowances in similar and neighbouring authorities
- The desire to simplify and modernise the rules to reduce administration
- The need to attract candidates to stand for election particularly from the younger age group and those in employment.

4 The Panel is recommending that the basic allowance increase from £3913.31 pa to 4500 pa. This recommendation recognised the increase in workloads because of the reduction in the number of members and the other factors brought to their attention.

5 The Panel considered that the formula for determining the Leaders and Group Leaders allowances according to the number of members in their groups, although introduced for a legitimate reason, had had unintended consequences particularly with the reduction in the number of members. To avoid such problems in future and to recognise the current structure of the Council the Panel is recommending new allowances for the Leader of the Council and for the Leader of the Opposition only with no allowance for other group leaders. The Leader of the Opposition would be defined as the leader of the largest group not represented in the Cabinet, or in the event of 2 or more equal sized groups the person appointed by those groups as Leader of the Opposition. The allowances recommended would be £10500 for the Leader of the Council and £4000 for the Leader of the opposition.

6 The remainder of the special responsibility allowances are considered to be at appropriate levels and are recommended to be rounded up to the figures shown in **ANNEX 1.**

7 The Panel were aware of the potential tensions caused when member's allowances increased at a rate greater than the pay increases for staff. To address this, the panel is recommending that the basic and special responsibility allowances be indexed in future to the pay awards to Council staff rather than to RPI.

8 The Panel considered that subsistence and travel allowances should continue to be the same as those for Officers, and be adjusted annually in line with the scheme for Officers.

9 The Panel considered the carer's allowance and thought it should better reflect the cost of care. The Carers allowance is recommended to be increased to be increased to £7.50 or the Living Wage, whichever the higher. This allowance should be indexed to the Retail Price Index (RPI) (or appropriate replacement) for the month of November in the preceding year but should not be less than the Living Wage.

10 All other aspects of the scheme to remain unchanged.

11 Recommendations:-

That:-

(a) The current Scheme of Members' Allowances should be amended to the scheme set out in **ANNEX 1** with effect from 1 October 2015 until its expiry on 31 March 2016;

(b) a new Scheme of Members' Allowances as set out in **ANNEX 1** should be implemented with effect from 1 April 2016;

(c) the Scheme of Members Allowances as should be adjusted annually in line with pay awards to the Council's Officers until 31 March 2020;

(d) where, during the period until March 2020, there is a significant change in the duties and/or responsibilities attaching to an appointment the respective special responsibility allowance be reviewed;

(e) the Scheme of Members Allowances for use by Parish Councils, if such Council's so resolve, be recommended to Parish Councils as set out in **ANNEX 2,** scheme to be adjusted in line with any Officer pay awards.

ANNEX 1

COUNCIL

24 NOVEMBER 2015

Review of Members' Allowances

STAFFORD BOROUGH COUNCIL

MEMBERS' ALLOWANCES SCHEME COMMENCING 1 OCTOBER 2015

Members Allowances

1 Basic Allowance

The Basic Allowance will be £4,500.00 payable in 12 monthly instalments on the twentieth day of each month. (Inclusive of telephone allowance previously paid separately).

2 Special Responsibility Allowances

A Special Responsibility Allowance as set out below is payable, in addition to the Basic Allowance, for the following positions in 12 equal instalments on the twentieth of each month:-

	Allowances 2015/16
Leader of the Council	£10,500.00
Deputy Leader (inclusive of Cabinet Member's Allowance)	£7,500.00
Cabinet Members	£5,700.00
Opposition Leader*	£4,000.00
Chairman of Scrutiny Committee	£3,200.00
Audit and Accounts Committee Chairman	£2,300.00
Planning Committee Chairman	£4,200.00
Licensing Committee Chairman	£1,600.00
Standards Committee Chairman	£1,000.00
Public Appeals Chairman	£1,600.00

* Defined as Leader of the largest political group not represented in the Cabinet . If there are two or more of such groups of equal size the person jointly appointed by those groups as Leader of the Opposition shall be entitled to the allowance but in the absence of such appointment no allowance shall be paid.

A special responsibility allowance as set out below is payable quarterly in arrears on the twentieth day of June, September, December and March only if the Member has chaired a meeting of the relevant committee in the preceding quarter:-

Planning Committee Vice Chairman	£900.00
Employee Appeals Committee Chairman	£950.00

If a member holds more than one position for which a special responsibility allowance is payable only one allowance will be payable. Unless the member chooses otherwise the highest of the allowances for which they are eligible will be paid.

3 Dependents' Carers' Allowance

The cost incurred up to a maximum of £7.50 per hour (or the Living Wage, whichever be the higher) payable in respect of arranging for the care of children or other dependents necessarily incurred in attending meetings or performing duties which qualify for travel and subsistence allowances.

4 Co-optees Allowance

Co-optees will be reimbursed any expenses necessarily incurred.

TRAVEL AND SUBSISTENCE

1 Introduction

1.1 Elected Members necessarily incurring additional expense in the course of their duties (as set out below) in respect of travel, meals or overnight accommodation will be reimbursed expenses in accordance with the following scheme, subject to appropriate evidence of expenditure being produced.

1.2 Duties attracting travel and subsistence allowances:-

Attending a meeting of the Council, the Cabinet and any committee, sub-committee or joint committee of the Council as a member or as a visiting member under rule 5.8 of the Council Procedure Rules.

Attending a meeting at the request of the Council, the Executive, a committee or sub-committee of the Council or an officer of the Council.

Attending briefings as in any capacity for which a special responsibility allowance is paid.

Attendance at conferences as approved by the Council.

Attendance at meetings of other bodies as the Council's appointed representative.

2 Overnight Accommodation and Subsistence

2.1 The Head of Law and Administration will, except in exceptional circumstances, book and pay the hotel directly for members attending conferences, meetings or training that requires an overnight stay. The cost of the accommodation is subject to the following limits:-

	OUTSIDE LONDON	**LONDON or CONFERENCE**
Overnight rates	£100.00	£120.00

2.2 In exceptional circumstances (eg where the Member is limited to a designated conference location), the Head of Law and Administration has the discretion to authorise payment in excess of the above limits (but see 2.8).

2.3 The Authority will only pay the actual cost incurred for each meal and one drink. The maximum should only be claimed when the meal has cost that amount or more. If an attempt is made to make an unreasonable claim for additional items the entire claim will become invalid and reimbursement will not be made.

2.4 Meal allowances cannot be claimed if meals are included either as part of a conference/training course or if they are included in the cost of the accommodation i.e. the member is booked in the hotel on a bed and breakfast or dinner, bed and breakfast basis.

2.5 Gratuities for service are paid at the discretion of the member and, except where specifically included on a bill as a service charge, are not reclaimable from the authority.

2.6 Entertainment expenses will not be met by the Authority. These are to be met in full by the member.

2.7 All claims for expenditure shall be certified and approved by the Head Law and Administration.

2.8 Excess reimbursement will not be made to members who incur expenditure above the maximum rate of reimbursement unless in the view of the Head of Law and Administration the additional expenditure was unavoidable.

2.9 Any claim for reimbursement that is submitted without a valid receipt will not be paid.

2.10 Any member making false, fraudulent or unnecessary claims may be in breach of the Code of Conduct for Members.

3 Day Subsistence

3.1 Day Subsistence expenses will be payable to a member who is prevented by official duties from taking a meal at home or the place where they normally

take their meals and thereby incur additional expenditure. Subsistence reimbursement is subject to the following limits:-

ALLOWANCE	VALID CLAIM PERIOD	MAXIMUM AMOUNT
Breakfast	When departing from home before 7 00 am and not returning before 11.00 am	£7.50
Lunch	When leaving home or place of work before 11 am and arriving back at their home or place of work after 3.00 pm	£10.00
Dinner	When leaving home before 5.00 pm and not returning until after 8.00 pm	£17.50

3.2 Meal allowances will only be paid when it is necessary for the member to be absent from home during the specified periods due to Council business and where it would not be possible to take the meal at home.

3.3 The Authority will only pay the actual cost incurred for each meal. The maximum should only be claimed when the meal has cost that amount or more. If an attempt is made to make an unreasonable claim for additional items the entire claim will become invalid and reimbursement will not be made.

3.4 Expenses will not be paid where a suitable meal is provided during the course of the official duties or where the member could have arranged their day to avoid incurring the expenses.

3.5 Gratuities for service are paid at the discretion of the member and except where specifically included on a bill as a service charge are not reclaimable from the authority.

3.6 Any claim for reimbursement that is submitted without a valid receipt will not be paid.

3.7 All claims for expenditure shall be certified and approved by the Head of Law and Administration.

3.8 Any member making false, fraudulent or unnecessary claims may be in breach of the Code of Conduct for Members.

4 Travelling expenses

4.1 As a general principle, members should use standard class public transport services to travel unless it is impractical to do so or other means of transport are more economic. Advantage should be taken of any discounted fares or special offers. Members travelling by rail should obtain tickets through the Head of Law and Administration.

4.2 In circumstances where a member uses their private car in preference to more economic public transport, the authority will reimburse the lowest available standard class public transport fare.

4.3 Where travel by public transport would, in total be more expensive than travel by car with reimbursement being made at the appropriate rate, then the journey may be made by car. An example of this might be where two or more persons travel together. Members are encouraged to car share and in such circumstances the driver may claim any necessary additional mileage incurred.

4.4 Actual bus or underground fares incurred will be reimbursed.

4.5 Where it is necessary to travel by taxi due to lack of other available transport or the journey is urgent (i.e. taking public transport would mean being late or the journey time is excessive), the actual expenditure will be reimbursed. (Members who will need to use taxis on a frequent regular basis should request the Head of Law and Administration to set up an account with a taxi firm to achieve economy.)

4.6 Car parking fees at the destination will be paid for the duration of the official duties at a rate not exceeding the current daily parking rate at Stafford Railway Station.

4.7 Members who travel by public transport but need to use their cars to travel to the public transport departure point (e.g. because no public transport is available for that part of the journey), will be reimbursed the actual car parking charges incurred and the mileage incurred to and from their home and the point where they join public transport.

4.8 Tickets and receipts must be obtained, retained and submitted in all circumstances or reimbursement will not be made.

4.9 Where a Member uses their private transport the following rates will be paid:-

	Amount Per Mile
Vehicle	52.2p
Bicycle	20p*

*maximum payable under HM Revenues and Customs

5 Time Limits on Claims

5.1 Claims for travel and subsistence and dependents' carers' allowances must be made within 2 months of the date of the event giving rise to the claim and a VAT receipt(s) must be attached to mileage claims which cover(s) the cost of petrol used for the mileage claimed. Discretion to approve claims submitted after the 2 month deadline is delegated to the Head of Law and Administration.

6 Suspension of Allowances

6.1 Where a member is suspended from the Council under Part III of the Local Government Act 2000 any allowances due in respect of the period of suspension will be withheld by the Council. Where a member is partially suspended from the Council that part of any allowances which is specifically related to the duties and responsibilities from which the member is suspended will be withheld.

7 Forgoing Allowances

7.1 Any member may by notice in writing to the Head of Law and Administration elect to forgo entitlement to all or any part of their allowances.

ANNEX 2

COUNCIL

24 NOVEMBER 2015

Review of Members' Allowances

PARISH COUNCIL MEMBERS' ALLOWANCES SCHEME COMMENCING 1 OCTOBER 2015

Overnight accommodation and subsistence, day subsistence and travel allowances are the same as Members of the Borough Council.

Members Allowances

1 Basic Allowance

Up to 3% of the Stafford Borough Council Basic Allowance

2 Chairman's Allowance

Up to 10% of the Stafford Borough Council Basic Allowance

TRAVEL AND SUBSISTENCE

1 Introduction

1.1 Elected Members necessarily incurring additional expense in the course of their duties (as set out below) in respect of travel, meals or overnight accommodation will be reimbursed expenses in accordance with the following scheme, subject to appropriate evidence of expenditure being produced.

1.2 Duties attracting travel and subsistence allowances:-

Attending a meeting of the Council and any committee, sub-committee or joint committee of the Council as a member.

Attending a meeting at the request of the Council, a committee or sub-committee of the Council or an officer of the Council.

Attendance at conferences as approved by the Council.

Attendance at meetings of other bodies as the Council's appointed representative.

2 Overnight Accommodation and Subsistence

2.1 The Clerk will, except in exceptional circumstances, book and pay the hotel directly for members attending conferences, meetings or training that requires an overnight stay. The cost of the accommodation is subject to the following limits: -

	OUTSIDE LONDON	LONDON or CONFERENCE
Overnight rates	£100.00	£120.00

2.2 In exceptional circumstances (eg where the Member is limited to a designated conference location), the Council has the discretion to authorise payment in excess of the above limits.

2.3 The Authority will only pay the actual cost incurred for each meal and one drink. The maximum should only be claimed when the meal has cost that amount or more. If an attempt is made to make an unreasonable claim for additional items the entire claim will become invalid and reimbursement will not be made.

2.4 Meal allowances cannot be claimed if meals are included either as part of a conference/training course or if they are included in the cost of the accommodation i.e. the member is booked in the hotel on a bed and breakfast or dinner, bed and breakfast basis.

2.5 Gratuities for service are paid at the discretion of the member and, except where specifically included on a bill as a service charge, are not reclaimable from the authority.

2.6 Entertainment expenses will not be met by the Authority. These are to be met in full by the member.

2.7 All claims for expenditure shall be certified and approved by the Clerk.

2.8 Excess reimbursement will not be made to members who incur expenditure above the maximum rate of reimbursement unless in the view of the Council the additional expenditure was unavoidable.

2.9 Any claim for reimbursement that is submitted without a valid receipt will not be paid.

2.10 Any member making false, fraudulent or unnecessary claims may be in breach of the Code of Conduct for Members.

3 Day Subsistence

3.1 Day Subsistence expenses will be payable to a member who is prevented by official duties from taking a meal at home or the place where they normally take their meals and thereby incur additional expenditure. Subsistence reimbursement is subject to the following limits:-

ALLOWANCE	VALID CLAIM PERIOD	MAXIMUM AMOUNT
Breakfast	When departing from home before 7.00 am and not returning before 11.00 am	£7.50
Lunch	When leaving home or place of work before 11.00 am and arriving back at their home or place of work after 3.00 pm	£10.00
Dinner	When leaving home before 5.00 pm and not returning until after 8.00 pm	£17.50

3.2 Meal allowances will only be paid when it is necessary for the member to be absent from home during the specified periods due to Council business and where it would not be possible to take the meal at home.

3.3 The Authority will only pay the actual cost incurred for each meal. The maximum should only be claimed when the meal has cost that amount or more. If an attempt is made to make an unreasonable claim for additional items the entire claim will become invalid and reimbursement will not be made.

3.4 Expenses will not be paid where a suitable meal is provided during the course of the official duties or where the member could have arranged their day to avoid incurring the expenses.

3.5 Gratuities for service are paid at the discretion of the member and except where specifically included on a bill as a service charge are not reclaimable from the authority.

3.6 Any claim for reimbursement that is submitted without a valid receipt will not be paid.

3.7 All claims for expenditure shall be certified and approved by the Clerk.

3.8 Any member making false, fraudulent or unnecessary claims may be in breach of the Code of Conduct for Members.

4 Travelling expenses

4.1 As a general principle, members should use standard class public transport services to travel unless it is impractical to do so or other means of transport are more economic. Advantage should be taken of any discounted fares or special offers.

4.2 In circumstances where a member uses their private car in preference to more economic public transport, the authority will reimburse the lowest available standard class public transport fare.

4.3 Where travel by public transport would, in total be more expensive than travel by car with reimbursement being made at the appropriate rate, then the journey may be made by car. An example of this might be where two or more persons travel together. Members are encouraged to car share and in such circumstances the driver may claim any necessary additional mileage incurred.

4.4 Actual bus or underground fares incurred will be reimbursed.

4.5 Where it is necessary to travel by taxi due to lack of other available transport or the journey is urgent (i.e. taking public transport would mean being late or the journey time is excessive), the actual expenditure will be reimbursed.

4.6 Car parking fees at the destination will be paid for the duration of the official duties at a rate not exceeding the current daily parking rate at Stafford Railway Station.

4.7 Members who travel by public transport but need to use their cars to travel to the public transport departure point (e.g. because no public transport is available for that part of the journey), will be reimbursed the actual car parking charges incurred and the mileage incurred to and from their home and the point where they join public transport.

4.8 Tickets and receipts must be obtained, retained and submitted in all circumstances or reimbursement will not be made.

4.9 Where a Member uses their private transport the following rates will be paid:-

	Amount Per Mile
Vehicle	52.2p
Bicycle	20p*

*maximum payable under HM Revenues and Customs

5 Time Limits on Claims

5.1 Claims for travel and subsistence and dependents' carers' allowances must be made within 2 months of the date of the event giving rise to the claim and a VAT receipt(s) must be attached to mileage claims which cover(s) the cost of petrol used for the mileage claimed.

6 Suspension of Allowances

6.1 Where a member is suspended from the Council under Part III of the Local Government Act 2000 any allowances due in respect of the period of suspension will be withheld by the Council. Where a member is partially suspended from the Council that part of any allowances which is specifically related to the duties and responsibilities from which the member is suspended will be withheld.

7 Forgoing Allowances

7.1 Any member may by notice in writing to the Clerk elect to forgo entitlement to all or any part of their allowances.

8 Inland Revenue Compliance

8.1 It is the responsibility of any Parish Council adopting this scheme to ensure that they obtain a dispensation from completion of forms P9D/P11D from HM Revenues and Customs to cover reimbursement of any expenditure wholly and necessarily incurred by their members in the course of their duties.

ITEM NO 11

ITEM NO 11

Report of:	**Head of Environment**
Contact Officer:	**Robert Simpson**
Telephone No:	**01785 619411**
Ward Interest:	**Nil**
Report Track:	**Council 24/11/15 (Only)**

COUNCIL

24 NOVEMBER 2015

Statement of Licensing Policy

1 Purpose of Report

1.1 The Council is asked to consider the comments received during the recent consultation on the draft "Statement of Licensing Policy" and to agree the amended draft as the Council's "Statement of Licensing Policy".

2 Recommendation

2.1 The amended draft "Statement of Licensing Policy" be agreed.

3 Key Issues and Reasons for Recommendation

3.1 A requirement of the Licensing Act 2003 is that all local authorities (or Licensing Authorities as they are known under the Act) must draft, consult on and publish a "Statement of Licensing Policy". The Statement of Licensing Policy must have regard to the content of a set of guidance notes published by the Secretary of State.

3.2 The Act requires each Authority to review its Statement of Licensing Policy whenever necessary and, in any case, every five years. The current Statement of Licensing Policy was reviewed and approved in 2011, and therefore a new statement is required to be in place by January 2016.

3.3 The Licensing Committee on the 27 October 2015 agreed the revised draft "Statement of Licensing Policy" following the public consultation; and recommended the revised draft "Statement of Licensing Policy" to the Council meeting on the 24 November 2015.

4 Relationship to Corporate Priorities

4.1 Prosperity
P1.2 Continue to develop Stafford and Stone Town Centres.

Clean, Green, Safe
CGS3.1 to implement action plans for the reduction of crime and disorder,
CGS4.1 Work with the licensed trade to ensure compliance through regulatory initiatives/partnership working
CGS4.2 Undertake a comprehensive review of the Licensing Policy.

5 Report Detail

5.1 The new draft Statement of Licensing Policy has been produced in partnership with Cannock Chase District Council. The reason for this is that Cannock Chase District Council share the same Legal Service with Stafford and therefore the basic statutory and legal principles are the same.

5.2 A copy of the draft Licensing Policy is attached as **APPENDIX 1**.

5.3 The content of the policy follows the guidance set out by the Secretary of State and is supported with local content which is appropriate and relevant for each authority.

5.4 The intention is for the Policy to be overarching and therefore a number of links are included to other relevant information which is likely to be subject to minor change within the next 5 years. Any major changes in legislation or other fundamental issues will lead to the Council reviewing the Policy as a whole.

5.5 The draft policy has highlighted a number of key areas for the Council and other Responsible Authorities to embrace, which have gained in emphasis since the last Policy was approved:-

- Health and Wellbeing: Reduction of Alcohol Harm
- The Night time Economy
- Child Sexual Exploitation

5.6 A period of consultation on the draft Statement of Licensing Policy commenced on the 5th August 2015 and closed on the 2 October 2015.

The consultation followed the statutory guidance issued under section 182 of the Licensing Act 2003 and the following were consulted by letter:-

- The Chief Officer of Police
- The Fire and Rescue Authority
- The Local Authority's Director of Public Health
- Other Responsible Authorities, eg Safeguarding, Trading Standards
- Persons/bodies representative of all premises licence holders in

- Stafford Borough, this is in excess of 450 consultation letters
- Persons/bodies representative of all club premises certificate holders in Stafford Borough

5.7 In order to ensure we captured the views of all our customers, as well as the direct consultation outlined above, the following was carried out:-

- General public consultation by advert in the Staffordshire Newsletter
- General public consultation by a web based survey on the Council's website
- Focus Groups with the business community, eg Stafford, and Stone Pub Watches involving approximately 15 attendees at each meeting, Town Centre Partnership involving approximately 30 attendees.

5.8 **APPENDIX 2** is a copy of the advertisement in the Staffordshire Newsletter.

5.9 Following the consultation the Council received 2 formal consultation replies:-

1) Paul Rowlands, a member of the public requested "I'd like to ensure that in the section relating to the council's vision on licensing that the following feedback is shared":-

"That the council consider under section 5 where it states "Developing a culture of live music and theatre" that those words be amended to include the word 'sport'".

2) A reply from the Council's Community Safety Team.

5.10 Copies of the replies can be found in **APPENDIX 3**.

5.11 Feedback from the focus Groups with the Stafford, and Stone Pub Watches, and the Stafford Town Centre Partnership was positive and supportive of the draft policy. No amendments were suggested.

6	**Implications**

6.1	**Financial**	Nil
	Legal	The Licensing Act 2003 requires all local authorities (or Licensing Authorities as they are known under the Act) to draft, consult on and publish a "Statement of Licensing Policy". The Statement of Licensing Policy must have regard to the content of a set of guidance notes published by the Secretary of State. The Act requires each Authority to review its Statement of Licensing Policy whenever necessary and, in any case, every five years.

Human Resources	Nil
Human Rights Act	Nil
Data Protection	Nil
Risk Management	Nil

6.2 **Equality and Diversity**	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

Licensing Committee - 29 July 2015 - Minute No LC2/15
Licensing Committee - 27 October 2015 - Minute No LC5/115

Background Papers - File available in Environmental and Health Services

APPENDIX 1

Statement of Licensing Policy for Licensing Act 2003

November 2015

Contents

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1. Foreword by Councillor Frank Finlay, Cabinet Member

Prosperity, safety, and health and wellbeing are top priorities for our Borough. This policy illustrates how the Council's licensing service will put these priorities at the heart of its work.

We want to encourage businesses to come to our Borough. We want to give them clear advice and help so they know what their responsibilities are. We want to make sure that all businesses, new or established, maintain the standards required of them by law. In doing this we can help businesses flourish while protecting our residents and visitors to the Borough.

This document will inform the work of the Council for all matters related to the Licensing Act 2003. It should be considered by all those carrying out licensable activities in the Borough.

I welcome the publication of this policy and hope it will contribute to the prosperity of our communities, the success of local businesses, and improve the quality of life for local residents and visitors to our area.



Cllr F Finlay

Cabinet Member for Environment and Health

2. Introduction

Consultation

2.1 Before this policy came into effect the Licensing Authority carried out a statutory consultation. The Council shared the draft policy with local stakeholders / partners, including Responsible Authorities and the local trade representatives, seeking contributions, feedback and comments. The consultation lasted 8 weeks from July 2015 through to October 2015.

2.2 The Council introduced the policy at local working group meetings, including the Town Centre Partnership and the Pub watch meetings in Stafford and Stone.

2.3 The draft policy was clearly signposted on the Council's websites and an advertisement placed in the Staffordshire Newsletter inviting comments.

Commencement

2.4 This policy came into force on 25 November 2015.

Future Changes

2.5 The Council is aware that the Government may from time to time amend the Licensing Act 2003, subordinate legislation and statutory guidance. The Council does not intend to automatically revise this policy document because of any such amendments and readers of this document are advised to check on the Home Office/Gov.uk website to ensure they have the latest information.

2.6 The Council will continue to monitor the effectiveness of the policy in promoting the licensing objectives and will consider further reviews as and when appropriate.

2.7 The Council will consider changes to the policy in the light of new legislation and developments affecting the local area, and will consult with stakeholders at the time it is considering such changes.

Data Protection

2.8 When an individual or an organisation provides information to the Council, this data is held in accordance with the Data Protection Act 1998. Data that is provided to the Council is used for processing applications, recording successful applicants and for regulatory and enforcement purposes.

2.9 The Council may share data with other services and with partners of the Council where required by the licensing/registration procedure and for regulation /enforcement but data will not otherwise be passed on to any other party.

2.10 While certain information may be disclosed under the Freedom of Information Act, and some information will be held on a publicly available register, and may be posted onto the Council website, personal data will be protected unless it is also official business data (eg a trader whose registered business address is also his home).

2.11 The Council has a duty to protect the public funds it administers and, to this end, may use the information provided for the prevention and detection of fraud. It may also share information with other bodies responsible for auditing or administering public funds for these purposes, eg UK National Fraud Initiative.

Equality and Diversity

2.12 Through the Council's policies and service delivery the Council's main aims for equality and diversity are to:

- Eliminate unlawful discrimination
- Promote equality of opportunity
- Promote good relations between diverse communities

2.13 A link to the Council's Equalities and Diversities Policy can be found here-

http://www.staffordbc.gov.uk/equalities-and-diversity1

Section 17 Crime and Disorder Act

2.14 Under section 17 of the Crime and Disorder Act 1998 the Council is required to promote the prevention of crime and disorder within its area. The Council works closely with Responsible Authorities to ensure that the Licensing Objectives are promoted, and seeks to ensure that Council decisions are proportionate and appropriate.

2.15 The Council will work in partnership with licence holders, local businesses, Responsible Authorities, Councillors and local people with the aim of promoting the licensing objectives.

2.16 A map of Stafford Borough can be viewed at

http://www.staffordbc.gov.uk/where-is-stafford-borough

3. The Licensing Objectives, Responsible Authorities and Licensable Activities

The Licensing Act 2003

3.1 The Licensing Act 2003, its explanatory notes and any statutory instruments made under it may be viewed online at www.legislation.gov.uk. The statutory instruments include regulations setting out the content and format of application forms and notices.

Statutory Guidance Published Under Section 182 Licensing Act 2003

3.2 The Home Office publishes statutory guidance for the Licensing Act 2003, which is regularly updated and can be found by searching for "section 182 guidance" at https://www.gov.uk/government/organisations/home-office

Licensing Objectives

3.3 Whenever the Council acts as Licensing Authority it must ensure it promotes the four licensing objectives of the Act. These objectives are:-

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

3.4 The Act makes it clear that none of these objectives are to be given priority over the others. All four objectives should be considered to have equal importance.

3.5 Further details on the Licensing Objectives can be found in the statutory guidance for the Licensing Act - here –

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/363262/GuidanceS182web.pdf

Responsible Authorities

3.6 The following organisations are Responsible Authorities, and may make representations where appropriate in cases where licensable activities may impact on the promotion of the licensing objectives -

- This Council
- Staffordshire Police
- Staffordshire Fire and Rescue Service
- Staffordshire County Council Trading Standards
- The Council as Local Planning Authority
- The Council's Environmental Health Service
- Staffordshire County Council Children Services
- Health Authority

3.7 Contact details for all of the authorities can be found at http://www.staffordbc.gov.uk/responsible-authorities

Licensable Activities

3.8 The definition of the "licensable activities" is set out in the Act. The Council is required to regulate all licensable activities, and such activities will require the benefit of an appropriate authorisation obtained from the Council - either a Premises Licence, a Club Premises Certificate or a Temporary Event Notice.

3.9 Licensable activities are defined by the Act as:-

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;
- the provision of late night refreshment between 11pm and 5am.
- the provision of regulated entertainment

3.10 A further explanation of licensable activities is available at-

https://www.gov.uk/alcohol-licensing

4. How to Use This Policy Statement

Licensing Act 2003

4.1 Licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the 2003 Act. The Licensing Act 2003 and the statutory guidance issued under section 182 of the Act provide for fundamental principles of licensing. The Council's Statement of Licensing Policy is intended to add to these fundamental principles and to give general guidance as to how it will approach issues arising under the Act. No part of the Council's Statement of Licensing Policy is intended to be inconsistent with or to undermine the provisions of the Licensing Act 2003.

Decision Making

4.2 This policy is to be taken into account when the Council makes decisions relating to the Act, although the Council will also have regard to the Act and the guidance issued by the Secretary of State under Section 182 of the Act. The Policy is intended to show how decision making will be approached, and how the Council will work with others to promote the Licensing Objectives. The Policy is taken into account when decisions are made by the Licensing Committee, the Licensing Sub Committee and authorised officers.

Applications and Representations

4.3 Applicants, Responsible Authorities and other parties should refer to this policy when making applications or representations under the Act.

Contents of This Policy

4.4 The first part of this policy details the Council's vision, and explains some of the matters that have to be considered when applications are made under the Licensing Act 2003. The policy then goes on to explain how to make applications and how people can raise concerns. The later part of the Policy explains how certain issues are to be considered, including the admission of children to premises, the licensing of petrol stations and the licensing of premises that provide adult entertainment. The last two parts of the Policy address some wider licensing considerations and explain how the Council delegates responsibility for the functions it has to carry out under the Act.

5. Our Vision

The Licensing Authority

5.1 Under the Licensing Act 2003 the Council is called the “Licensing Authority”. As Licensing Authority the Council is responsible for the licensing of restaurants, pubs, cafes, and takeaways. Throughout this document, all references to Licensing Authority mean the Council.

Responsibilities for Functions

5.2 The Licensing Authority’s functions are carried out by the Licensing Committee, the Licensing Sub Committee and authorised officers of the Council. Some of the most important functions and details of the persons with responsibility for the functions and decision making are set out in Section 9.

Training of Members

5.3 Before sitting as members of the Licensing Sub Committee Council members will need to attend a Licensing Act 2003 training session with officers from Legal Services and Licensing. Members will need to attend refresher training every year that they remain as a member of the Licensing Committee.

Decision Making

5.4 In carrying out its functions under the Act the Licensing Authority will seek to ensure that any decision it makes is evidence based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

5.5 It should be noted that licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned.

5.6 Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in town and city centres.

5.7 The Council will take account of the statutory guidance when it makes decisions under the Act. The Council will also seek to take decisions that help to advance the following issues:–

- Improving the quality of life for local residents through a reduction of crime and disorder
- The protection of children from sexual exploitation
- Reducing anti-social behaviour in and around licensed premises
- Encouraging more family-friendly premises
- Improving quality of life by bringing greater choice to residents, consumers, tourists and businesses about where, when and how they spend their leisure time;
- Developing a culture of live music, theatre and sport;
- Encouraging a diverse range of premises for both the day time and night time economy
- Giving licence holders greater flexibility to meet their customers' needs and expectations
- Encouraging responsible retailing and consumption of alcohol by preventing underage sales and alcohol related health issues.

5.8 The Council recognises that its decisions can have significant effects on local businesses, local communities and individuals. The Council will often have to assess competing interests and will have to try to make a decision that is balanced and fair to all parties involved.

5.9 The Council is therefore keen to encourage a dialogue not only with local licence holders and Responsible Authorities, but also with community groups and individuals. The Council supports local partnership working and is keen to encourage regular liaison between the licensed trade, local communities and Responsible Authorities. If there is a regular forum for discussion between these groups of people then it is more likely that people will have their voices heard.

Licensed Venues and Local Communities

5.10 The Licensing Authority will seek to encourage the provision of a wide range of high quality and well-managed venues in the Borough of Stafford. The Licensing Authority will seek to ensure that premises are safe, vibrant meeting places for people who live, work and visit the area.

5.11 The Council recognises that a thriving well managed night time economy can bring many benefits.

5.12 The Council wishes to create a vibrant prosperous economy that encourages growth as well providing a safe and healthy environment that people want to be a part of.

5.13 Whilst it is important to support a vibrant economy the balance has to be struck between an uncontrolled expansion of licensed premises and what follows, and the need to ensure public safety and quality of life for local people

5.14 The Licensing Policy will respect the individual characteristics of all premises

and recognise that pubs, nightclubs, restaurants, hotels, theatres, and other clubs may all wish to sell alcohol and serve food with contrasting types of patrons, styles of entertainment and characteristics. Proper regard will be given to those differences and the differing impact they are likely to have on the promotion of the licensing objectives.

Links with Other Policies

5.15 This Licensing Policy is intended to help ensure the proper integration of the licensing policy with local crime prevention, planning, transport, tourism, equality schemes, cultural strategies and any other plans introduced for the management of town centres and the night-time economy.

5.16 The Council will ensure that from time to time it is kept informed on issues relating to all these matters in order that they can be reflected within their considerations.

5.17 The Council's Evening and Night Time Economy Plan is being developed and when agreed will be available on the Council's website.

6. How to Make an Application

Applications

6.1 Applicants cannot assume that their applications will be successful as applications under the Licensing Act 2003 have to be considered in terms of whether the Licensing Objectives are promoted. In many cases the suitability of an applicant and the suitability of premises are part of such considerations.

On Line Applications

6.2 Applications can be made using the forms on the Home Office website. https://www.gov.uk/alcohol-licensing

6.3 Online applications can also be made via the government website www.gov.uk.

6.4 The Council's web site has links to these government web sites

www.staffordbc.gov.uk

On Line Payments

6.5 In order to fulfil its obligations under the Provision of Services Regulations 2009 (and the EU Services Directive) the Council will support and encourage applications and payments made online.

Minor variations

6.6 Licence holders can apply to make small changes to premises licences or club premises certificates through the minor variation process, which is cheaper, easier and quicker than the full variation process.

6.7 A minor variation is defined as one that could not impact adversely on any of the four licensing objectives. (These are: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.)

6.8 The Minor Variations process cannot be used to add the retail or supply of alcohol to a licence.

6.9 The minor variation application form and further guidance on minor variations can be found on the Home Office website at:-

https://www.gov.uk/government/publications/minor-variations-to-premises-licence-application-form

Temporary Event Notices

6.10 The Licensing Act 2003 provides that Temporary Event Notices (TENs) can temporarily authorise licensable activities upon premises, such as the sale or supply of alcohol, the provision of regulated entertainment or the supply of late night refreshments which are not already authorised by a either a premises licence or a club premises certificate. The TEN process is one of notification to the licensing authority and the police by the giver of the notice.

6.11 Temporary Event Notices (TEN's) do not seek permission to carry on licensable activity and do not make application for it. TEN's are a system of notification which the s182 guidance confirms is a light touch process.

6.12 There are two types of TEN: a standard TEN and a late TEN. These are subject to different processes: a standard notice is given no later than ten working days before the event to which it relates; and a late notice is given not before nine and not later than five working days before the event. www.gov.uk/government/collections/alcohol-licensing-temporary-events-notices

Standard temporary event notices

6.13 "Ten working days" (and other periods of days which apply to other requirements in relation to TENs) exclude the day the notice is received and the first day of the event. A notice that is given less than ten working days before the event to which it relates, when the premises user has already given the permitted number of late TENs in that calendar year, will be returned as void and the activities described in it will not be authorised.

6.14 The Police and the Council's Environmental Health Service are the only bodies that can make representations regarding standard temporary event notices.

6.15 The Police and Environmental Health Service have a period of three working days from when they are given the notice to object to it on the basis of any of the four licensing objectives. At any time before a hearing is held or dispensed with, the Police or Environmental Health Service may, with the agreement of the premises user, modify the temporary event notice by making changes to it.

Late Temporary Event Notices

6.16 Late TENs are intended to assist premises users who are required for reasons outside their control to, for example, change the venue for an event at short notice. However, late TENs may, of course, be given in any circumstances providing the limits specified are not exceeded. There is no

right of appeal in respect of Police or Environmental Health Service objections relating to late TENs.

7. How to Raise Concerns

Contact the Council

7.1 Anyone with concerns about premises or a particular event can contact the Council. It may also be advisable to speak to their local Councillor if they have such concerns.

7.2 If you have concerns regarding premises, or a new application for a specific event or premises you should contact the Council's Licensing section, which will be able to advise you.

Advice for Residents

7.3 The Home Office and the Institute of Licensing have published a Factsheet for local residents concerned about problem premises. The Factsheet can be found at www.gov.uk/government/uploads/system/uploads/attachment_data/file/118372/advice-local-residents.pdf

Child Sexual Exploitation

7.4 Licensing authorities must consider the need to protect children from sexual exploitation when undertaking licensing functions. If members of the public have concerns about child sexual exploitation in connection with premises licensed under the Act then they should contact the Police in the first instance also notifying First Response, Staffordshire County Council's child protection service. The local Safeguarding Board also provide advice on how to prevent child sexual exploitation. The Staffordshire Safeguarding Children Board web site provides safeguarding information for the public, parents and carers and is at http://www.staffsscb.org.uk/Home.aspx

Problem Premises

7.5 The expectation of the Council is that licensed premises shall be well run and well managed. The emphasis of the policy is on ensuring the promotion of the licensing objectives and proper management and control of licensable activities.

7.6 The focus of the policy is:-

- to ensure that the licensing objectives are met;
- to ensure individual licensees have proper control over the premises;
- on the suitability of premises or places being used for licensable activities;

- on the direct impact of licensable activities on those living, working or otherwise engaged in the area concerned; and,
- on the impact of those activities on the amenity of the immediate residential area and the wider community.

Enforcement

7.7 It is the intention of the Licensing Authority to work proactively with all Responsible Authorities and Licence holders. The Licensing Authority will try to ensure proportionate targeting of agreed problem premises and focus on high-risk licensed activities. There will be a corresponding lighter touch for well run, lower risk premises.

7.8 The Council's Enforcement Policy can be found at

http://www.staffordbc.gov.uk/live/Documents/Policy%20and%20Plans/Environmental-Health---Enforcement-Policy.pdf

7.9 The Council will engage with the licensed trade in tackling under age sales ensuring that there are stringent age verification schemes in place at venues that sell alcohol, tobacco or provide adult entertainment. The Council will discourage irresponsible advertising and drinks promotions, in a way that is consistent with the mandatory conditions referred to in Chapter 10 of the statutory guidance.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418114/182-Guidance2015.pdf

Risk Based Inspections

7.10 Although the Act does not require premises inspections to be undertaken, they will take place at the discretion of the Licensing Officers charged with this role and will take place as judged necessary on a risk based approach.

7.11 This will ensure that the Licensing Authority manages its resources efficiently and that 'effective enforcement' is directed at 'problem premises'.

Reviews

7.12 The availability of a review of licences or certificates provides a key protection for the community where the Licensing Objectives are being undermined. The review system should allow the Licensing Authority to apply a light touch bureaucracy to the grant or variation of a licence or certificate. The Licensing Authority may then take a more robust approach when problems relating to the Licensing Objectives arise later in respect of any premises.

7.13 At any stage following the grant of a premises licence or a club premises certificate, a Responsible Authority or any other person, may ask the Licensing Authority to review the licence or certificate because

of a matter arising at the premises in connection with any of the four licensing objectives.

7.14 The Licensing Authority will accept initial email applications for reviews from Responsible Authorities. This does not however, negate the requirement to serve paper copies on all parties, including the Licensing Authority.

Powers of Licensing Sub Committee on a Review

7.15 The Licensing Sub-Committee must, under section 52(4) of the Licensing Act 2003 having full regard to the representations, take such steps as it considers appropriate for the promotion of the licensing objectives namely;

a) to modify the conditions of the licence
b) to exclude a licensable activity from the scope of the premises
c) to remove the Designated Premises Supervisor
d) to suspend the licence for a period not exceeding 3 months
e) to revoke the licence.

Adjournments of Sub Committee Hearings

7.16 On occasion applications are made to the Council that have particularly pressing time limits – for example temporary event notices and premises licence review applications.

7.17 In some cases a party will ask for additional time to consider their position and sometimes all parties make a request for an adjournment of the Licensing Sub Committee hearing.

7.18 In consequence the Council's Solicitor, in consultation with the Chairman of the Licensing Committee has delegated powers to make certain decisions where it is in the public interest to do so. These are:

- To adjourn hearings
- To extend time limits
- To dispense with the need for some hearings where all parties have agreed to this ; and
- To take steps to address any irregularities arising from failure to comply with regulations made under the Act.

8. Premises Licences and Club Premises Certificates

Conditions

8.1 The licensing regime established by the Licensing Act 2003 is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events.

8.2 As Licensing Authority the Council wishes to emphasise that any conditions that are attached to various authorisations should be focussed on matters which are within the control of individual licence holder. The Council will seek to avoid attaching blanket conditions or conditions that duplicate other regulatory regimes.

Mandatory Conditions

8.3 The Licensing Act 2003 states that there are certain mandatory conditions. These have to be included in every licence and/or club premises certificate in specified circumstances. Some of the mandatory conditions relate to premises licences that authorise the sale of alcohol, while others relate to conditions for door supervisors. Details of these mandatory conditions can be found at http://www.legislation.gov.uk/uksi/2014/2440/resources and http://www.legislation.gov.uk/uksi/2014/1252/schedule/made

Licensing Hours

8.4 The Licensing Authority acknowledges that different licensing approaches may be appropriate for the promotion of the licensing objectives in different areas. The Licensing Authority will consider the individual merits of any application or representation. It is clear that longer licensing hours with regard to the sale of alcohol may be an important factor in avoiding a concentration of customers leaving premises simultaneously, however, it must also be recognised that even smaller numbers of patrons leaving licensed premises over a longer period of time, may still lead to significant and persistent problems of disorder and/or public nuisance.

8.5 The Licensing Authority acknowledges that greater consumer choice and flexibility is an important consideration when it comes to encouraging a thriving night time economy. This is important for local investment and employment opportunities. However longer licensing hours should not be permitted if evidence demonstrates that there would have been an adverse impact upon the promotion of the Licensing Objectives.

8.6 In some circumstances flexible licensing hours for the sale of alcohol can help to ensure that large numbers of customers do not leave various premises simultaneously, and this can help to promote the Licensing Objectives.

Capacity within licensed premises

8.7 Capacity and fire safety issues are covered in a useful guide found at:

http://www.staffordshirefire.gov.uk/764.asp

Children in premises

8.8 The Council recognises the great variety of premises for which a Premises Licence may be sought and wishes to make it clear that there are a range of alternatives available for limiting the access of children where that is appropriate for the objective of the protection of children from harm.

8.9 Measures that may assist in the promotion of the objective relating to the protection of children from harm include:- restrictions on the hours when children may be present; restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place; restrictions on the parts of the premises to which children may have access; age restrictions (below 18); restrictions or exclusions when certain activities are taking place; requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and full exclusion.

8.10 The admission of children into licensed premises will normally be at the discretion of the licence holder/management and this should be reflected in the operating schedule submitted to the Council upon application.

8.11 The Council will not seek to limit the access of children to any premises unless it receives representations to that effect. However, where premises give film exhibitions, the Licensing Authority will expect licence holders or clubs to include in their operating schedules arrangements for restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification, or the Licensing Authority itself.

Live Music

8.12 As a result of recent changes made to the Act no licence is required for the following activities -

- a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.

- a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

- a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.

- a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

- a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

Adult entertainment

8.13 Adult entertainment is only authorised where the Premises Licence clearly states that such entertainment is permitted. New applicants must make clear on the application form that adult entertainment may take place at the premises.

8.14 Existing licence holders should be aware that if adult entertainment is not mentioned within their current Premises Licence then a variation to the licence or a Temporary Event Notice (TEN) will be required before adult entertainment can take place. The TEN form makes specific reference to the provision of adult entertainment.

Suspension of Licence/Certificate

8.15 Premises Licence or Club Premises Certificate annual fees are due to be paid to the Licensing Authority on the anniversary of the grant of the premises licence or club premises certificate.

8.16 When annual fees fail to be paid the Licensing Act 2003 requires licensing authorities to suspend the premises licence or club premises certificate.

8.17 The Premises Licence or Club Premises Certificate is to be suspended unless the holder has failed to pay the fee at the time it became due because of an administrative error, or before or at the time the fee became due, the licence holder notified the authority in writing that the licence holder disputed liability for, or the amount of, the fee.

8.18 The suspension can only take place after a 21 day period of grace is afforded to the licence holder which begins on the day after the fee became due. After that 21 day period expires a suspension notice will be served by the Licensing Authority giving at least two working days of the suspension.

8.19 The suspension will be lifted on the day that the annual fee is paid.

http://www.legislation.gov.uk/ukpga/2011/13/section/120/enacted

Petrol Stations s176

8.20 Where a licence application is made which may be affected by the "excluded premises" section 176 of the Act, the Council will determine the application in accordance with the information and evidence provided by the applicant.

8.21 All premises licences issued to petrol station forecourts will have the following statement included within the licence:

> *"This premises licence has no effect to authorise the sale by retail or supply of alcohol on or from an excluded premises under section 176 of the Licensing Act 2003. 'Excluded premises' means premised used primarily as a garage or which forms part of a premises which is primarily so used. Premises are used as a garage if they are used for… the retailing of petrol or retailing of derv (section 176(4) (c) (i) and (ii))"*

8.22 Where the applicant provides little or no evidence that the premises is not "excluded premises" under section 176 of the Act, then the Premises Licence may be granted, issued with the above statement endorsed upon it and monitored for compliance by the Licensing Authority and / or Police.

8.23 In the event of representations being made in respect of this type of application by responsible authorities then the application will be referred for determination by the Licensing Sub Committee at a hearing.

9. Wider Licensing Considerations

Reduction of Alcohol Harm

9.1 Health bodies have been able to act as Responsible Authorities under the Licensing Act 2003 since April 2012. Since the health reforms in April 2013 which saw the formal transfer of public health responsibilities to Local Authorities, health bodies are Directors of Public Health (in England) and they have unique access to data not available to other Responsible Authorities which may inform licensing decisions.

9.2 Public Health is not currently a licensing objective and there is not a specific licensing objective related directly to health within the current legislation but 'Staffordshire Public Health' (SPH) at Staffordshire County Council has much to add in reducing health harms within the current licensing framework.

9.3 This Licensing Authority envisages an effective working relationship with the Director of Public Health (DPH) and SPH working together to ensure that the health impacts of alcohol licensing is considered. Although the DPH will be notified of all licence applications, it is acknowledged not every application will need a response from public health. However, any representations must be considered relevant by the Licensing Authority and relate to one or more of the licensing objectives.

9.4 Health bodies when making representation are most likely to relate such representations to the objectives on public safety and protecting children from harm but any health evidence will need to relate to a specific premises or group of premises in a particular area such as a cumulative impact zone ("CIZ"). SPH may be able to provide evidence of alcohol related health harms, alcohol related A&E admissions, or ambulance service data that might be directly relevant to an application under the Act.

9.5 The role of the DPH is to help promote the health and wellbeing of the local populations they serve and in the DPHs annual report '*Reducing alcohol-related harm: everyone's responsibility'* 3 strategic priorities were identified:

(i) Prevention and early intervention
(ii) Treatment and recovery
(iii) Regulation and enforcement

9.6 The above three objectives are also underpinned by the cross cutting theme of 'taking responsibility' in that individuals, families, communities and organisations will all need to take various forms of responsibility if alcohol problems are to be reduced.

9.7 The health reforms along with the publication of '*The Governments Alcohol Strategy*' in March 2013 and the development of local structures, lends itself to a joined up approach in taking the right action locally to tackle alcohol related harm.

The Licensing Authority as a Responsible Authority

9.8 Although the Licensing Authority is a Responsible Authority, it will not duplicate representations or applications made by other Responsible Authorities and other persons. However, if these parties have failed to take action and the Licensing Authority is aware of relevant grounds to make a representation, it may choose to act in its capacity as Responsible Authority.

9.9 The Licensing Authority may sometimes be in a better position than other RAs to "see the full picture" and connect apparently unrelated reports from different sources.

9.10 The Licensing Authority may also make representations where a Cumulative Impact Zone is in place and no other representations have been received. There is a section below on Cumulative Impact Zones.

Planning Decisions

9.11 Licensing and Planning are discrete regulatory systems.

9.12 There are several key differences between licensing and planning control, and their respective approaches to applications. It could be said that the consideration of a planning application involves looking into how land or buildings are to be used, whereas licensing considers the behaviour of people in terms of the proposed use of the buildings or land and the impact on the licensing objectives.

9.13 In some cases, it is possible that the premises have different hours of operation (in particular closing times) upon its planning permission and premises licence. This is because the considerations for obtaining planning consent are different than those for obtaining an authorisation under the Licensing Act 2003.

9.14 The distinction between planning and licensing functions needs to be clear, but it is also important that the functions are aligned operationally to provide a joined up and customer focussed service to businesses.

9.15 Councils are already exploring opportunities to improve customer service for businesses in this area, for example by joining up planning, licensing and other advice at an early stage through pre-application advice services.

Cumulative Impact Zones (CIZ)

9.16 'Cumulative impact' refers to the potential impact on the promotion of the licensing objectives of the concentration of a significant number of licensed premises on one area.

9.17 The Licensing Authority will not normally refuse applications simply because there are already a number of other licensed premises in the vicinity. However, the cumulative effect of the impact of licensed premises on an area is a matter for consideration by the Licensing Authority. It may be regulated by the adoption of a CIZ special policy for determining applications for new premises licences or club premises certificates because the area is already saturated.

9.18 Where a special policy for a CIZ is adopted there will be a presumption against the grant of new licences and material variations unless the applicant can satisfy the Authority that the application will not adversely affect the promotion of any of the licensing objectives.

9.19 The Council may adopt a special policy for a CIZ if this is shown to be justified as appropriate for the promotion of the licensing objectives.

9.20 Chapter 13 of the statutory guidance deals with Cumulative Impact Zones. See https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418114/182-Guidance2015.pdf

Early Morning Alcohol Restriction Orders (EMRO)

9.21 Under Section 172 A to E of the Act, the Licensing Authority has the power to make an EMRO prohibiting the sale of alcohol for a specified period between the hours of 24:00 and 06:00. They are designed to address recurring problems with licensed premises, serious public nuisance and other instances of alcohol-related anti-social behaviour which is not directly attributable to specific premises.

9.22 It is acknowledged by the Licensing Authority that an EMRO may be restrictive, whilst also being a powerful tool to address recurring problems of alcohol-related crime and disorder, serious public nuisance and alcohol-related anti-social behaviour. Prior to making an EMRO the Licensing Authority will consider whether any other measures (implemented by themselves or with partners) may address the problems that have been identified.

9.23 In taking any decision to make an EMRO, the Licensing Authority will follow the statutory process and will invite representations. An EMRO could only be made if the evidence demonstrated that it was justified as appropriate for the promotion of the licensing objectives.

9.24 Chapter 16 of the statutory guidance deals with EMROs. See https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418114/182-Guidance2015.pdfwww.gov.uk/government/collections/alcohol-licensing-early-morning-restriction-level-forms

Late Night Levy

9.25 Under Section 125 of the Police Reform and Social Responsibility Act 2011 the Council can adopt a Late Night Levy, following a consultation process, outlined by the Home Office.

9.26 The Late Night Levy allows the Council to charge an additional fee to any licensed premises that has a licence for the sale of alcohol (on and off sales) between 24:00 and up to 06:00 in order to cover the additional costs associated with late night alcohol trading.

9.27 Legislation allows the prescribed time to start from midnight but it is up to the Council to decide when they wish to apply it.

9.28 The Council will consider implementing a Late Night Levy if this is shown to be justified as appropriate for the promotion of the licensing objectives.

Town Centres and Public Spaces

9.29 The Council has licensed some of its public spaces in order to encourage a wide range of licensable activities, subject to prior notification and agreement by the Council.

9.30 The public spaces which are currently licensed by the Council are listed below:

- Stafford Town Centre
- Stone Town Centre
- Westbridge Park
- Stafford Castle
- Victoria Park

10. Functions and Decision Making

Matters to be dealt with	Sub Committee	Officers
Application for personal licence	If a police objection	If no objection made
Application for personal licence with unspent convictions	All cases	
Application for premises licence / club premises certificate	If a relevant representation made	If no relevant representation made
Application for provisional statement	If a relevant representation made	If no relevant representation made
Application to vary premises licence / club premises certificate	If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor	If a police objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a police objection	All other cases
Applications for interim authorities	If a police objection	All other cases
Application to review premises licence / club premises certificate	All cases	
Decision on whether a representation is irrelevant frivolous vexatious etc		All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases	
Determination of an objection to a temporary event notice	All cases	
Determination of application to vary premises licence at community premises to include alternative licence condition	If a police objection	All other cases
Decision whether to consult other responsible authorities on minor variation application		All cases
Determination of minor variation application		All cases

Public Notices

highways england

ROAD TRAFFIC REGULATION ACT 1984-SECTION 14(1)(B) AND THE MOTORWAYS TRAFFIC (ENGLAND AND WALES) REGULATIONS 1982 -REGULATION 16(2)
THE M6 MOTORWAY (JUNCTION 12), THE M54 MOTORWAY (JUNCTIONS 2 – 4), THE A5 AND THE A449 TRUNK ROADS (TEMPORARY PROHIBITION OF TRAFFIC) ORDER 2015

NOTICE IS HEREBY GIVEN that Highways England Company Limited (Company No. 9346363) intends to make an Order on the M6 and M54 Motorways and the A5 and A449 Trunk Roads, in the Counties of Staffordshire and Shropshire, because of the likelihood of danger to the public as a result of increased traffic levels during the V Festival at Weston Park.

The effect of the Order will be to –

(1) close the slip roads –
- (a) leading from the northbound carriageway of the M6 at Junction 12;
- (b) leading from the southbound carriageway of the M6 at Junction 12;
- (c) leading from the eastbound carriageway of the M54 at Junction 3; and
- (d) leading from the westbound carriageway of the M54 at Junction 3;

(2) allow vehicles to use the hardshoulder of –
- (a) the westbound carriageway of the M54 (between Junctions 2 and 3) between points 1300 metres and 7400 metres west of Port Lane overbridge; and
- (b) the eastbound carriageway of the M54 (between Junctions 4 and 3) from a point 3700 metres west of the centre line of Coppice Green Lane overbridge to that centre line;

(3) prohibit vehicles from –
- (a) entering the westbound carriageway of the A5 at its roundabout junction with the A449 (Gailey Roundabout); and
- (b) entering or proceeding through the gap in the central reservation of the A449 at its junction with Crateford Lane, Four Ashes; Station Drive, Four Ashes; School Lane, Standeford; and Light Ash Lane, Coven.

The Order will be effective starting at 00:01 hours on Friday 21 August 2015 and ending at 23:59 hours on Sunday 23 August 2015 and will come into force on Thursday 20 August 2015.

Vehicles being used for police, fire brigade or ambulance purposes and vehicles being used by traffic officers will be exempt from the closures and prohibitions. Diversion routes using the A449 and A41 will be signed.

For further information, contact Robert Jaffier on 0121 687 2526.

Karen Eustace, an Officer in Highways England Company Limited.

Highways England Company Limited (Company No. 9346363) registered office: Bridge House, Walnut Tree Close, Guildford, GU1 4LZ. A company registered in England and Wales.

Public Notices

highways england

ROAD TRAFFIC REGULATION ACT 1984 – SECTION 14(1)(A)
THE A500 TRUNK ROAD (STOKE-ON-TRENT, STAFFORDSHIRE) (TEMPORARY PROHIBITION OF TRAFFIC) ORDER 2015

NOTICE IS HEREBY GIVEN that Highways England Company Limited (Company No. 9346363) intends to make an Order on the A500 Trunk Road, at Stoke-on-Trent in the County of Staffordshire, to allow grass cutting works to be carried out.

The effect of the Order will be to close, at different times, the slip roads leading –
- i) to and from the northbound carriageway of the A500, to and from its dumbbell roundabout junction with the A527 Grange Lane (Wolstanton roundabout);
- ii) to and from the northbound carriageway of the A500, to and from the roundabout junction with A527 Porthill Bank and A5271 (Porthill Roundabout);
- iii) to and from the northbound carriageway of the A500, to and from the roundabout junction with the A527 and Chemical Lane (Tunstall Roundabout);
- iv) to and from the northbound carriageway of the A500, to and from the roundabout junction with A34 Talke Road and A34 Newcastle Road (Talke Roundabout);
- v) to and from the northbound carriageway of the A500, to and from its junction with Alsager Lane at Audley;
- vi) to and from the southbound carriageway of the A500, to and from its junction with Alsager Road;
- vii) to and from the southbound carriageway of the A500, to and from its junction with Talke Roundabout;
- viii) to and from the southbound carriageway of the A500, to and from its junction with Tunstall Roundabout;
- ix) to and from the southbound carriageway of the A500, to and from its junction with Porthill Roundabout; and
- x) to and from the southbound carriageway of the A500, to and from its junction with Wolstanton Roundabout.

The work will be carried out in overnight between 21:00 hours and 04:00 hours and is expected to start on Monday 10 August 2015 and continue for 12 nights. The Order will come into force on Monday 3 August 2015.

Vehicles being used by the emergency services and vehicles being used in connection with the works will be exempt from the closures.

Diversion routes via alternative junctions of the A500 will be signed.

For more information, please contact Leonard Murray on 0121 678 8510.

Karen Eustace, an Officer in Highways England Company Limited.

Highways England Company Limited (Company No. 9346363) registered office: Bridge House, Walnut Tree Close, Guildford, GU1 4LZ. A Company registered in England and Wales.

Public Notices

Stafford Borough Council

Licensing Policy Consultation 2015

Purpose of the consultation Revised Statement of Licensing Policy

The Licensing Act 2003 requires a licensing authority to prepare and publish a statement of Licensing Policy every five years. We are currently seeking comments on our new draft revised policy dealing with the licensing of alcohol, regulated entertainment and late night refreshment premises.

The survey is open until October 2nd 2015

To view the document and make comments please visit

www.staffordbc.gov.uk

The survey is carried out by Stafford Borough Council, in line with the Data Protection Act 1998. The data controller is Stafford Borough Council.

For further information please contact the Licensing Team on 01785 619745

Tony Potts
Licensing Officer

Staffordshire County Council

ROAD TRAFFIC REGULATION ACT 1984 (AS AMENDED)
ROAD TRAFFIC (TEMPORARY RESTRICTIONS) ACT 1991
A519 STAFFORD STREET, B5026 HIGH STREET AND

unless the vehicle is being used for police, fire brigade or ambulance purposes.

THE ORDER WILL COME INTO OPERATION ON 10 AUGUST 2015.

APPENDIX 3

From: Paul Rowlands
Sent: 02 August 2015 22:17
To: Lisa Clemson
Subject: Re: Revised Statement of Licensing

Hi Lisa,

Thanks for sending this though

I'd like to ensure that in the section relating to the council's vision on licensing that the following feedback is shared:

- That the council consider under section 5 where it states "Developing a culture of live music and theatre" that those words be amended to include the word 'sport'

Can you let me know that this has been shared with the appropriate person?

Best

Paul

#1

COMPLETE

Collector: EH - Licensing...ultation 2015 (Web Link)
Started: Monday, September 07, 2015 11:50:53 AM
Last Modified: Monday, September 07, 2015 3:41:23 PM
Time Spent: 03:50:30
IP Address: 78.40.235.2

PAGE 1: Environment and Health Services

Q1: Please give your details

Your Name:	Amanda Knight
Address:	Policy, Improvement and Partnerships, SBC, Civic Offices, Riverside, Stafford. ST16 3AQ
Email Address:	aknight@staffordbc.gov.uk
Name of Organisation (if replying on behalf of organisation or association):	Policy and Improvement, SBC

Q2: Q1 Please give any comments on Section 3 Licensing Objectives

3.4 typo. It should say 'given priority'.

Q3: Q2 Please give any comments on Section 5 Our Vision

5.2 typo 'are set out in Section 9'.

5.7- encouraging responsible retailing and consumption of alcohol by preventing underage sales and alcohol related health issues.

Q4: Q3 Please give any comments on Section 6 How to Make an Application — *Respondent skipped this question*

Q5: Q4 Please give any comments on Section 7 How to Raise Concerns

7.4 Child Sexual Exploitation

...also notifying First Response, Staffordshire County Council's child protection service.

Q6: Q5 Please give any comments on Section 8 Premises Licensees and Club Premises Certificates — *Respondent skipped this question*

Q7: Q6 Please give any comments on Section 9 Wider Licensing Considerations — *Respondent skipped this question*

Q8: Q7 Please give any comments on Section 10 Functions and Decision Making — *Respondent skipped this question*

ITEM NO 12

ITEM NO 12

Report of:	**Head of Planning and Regeneration**
Contact Officer:	**Abby Brough**
Telephone No:	**01785 619533**
Ward Interest:	**Nil**
Report Track:	**Cabinet 5/11/15 Council 24/11/15**

COUNCIL

24 NOVEMBER 2015

The Plan for Stafford Borough - Part 2 Publication

The following report was considered by Cabinet at its meeting held on 5 November 2015 and is submitted to Council for consultation.

Hard copies of the booklets as referred to are available upon request.

1 Purpose of Report

1.1 To note and consider the Schedule of Representations, prepared as a Summary of Responses (attached as a **BOOKLET**to this item), and how the 'Plan for Stafford Borough - Part 2 Publication' has been amended to take account of the responses received to 'The Plan for Stafford Borough - Part 2 Proposals Consultation Stage' (June - July 2015).

1.2 To note the Sustainability Appraisal Report (attached as a **BOOKLET** to this item) for the 'Plan for Stafford Borough - Part 2 Publication'.

1.3 To approve the 'Plan for Stafford Borough - Part 2 Publication' (attached as a **BOOKLET** to this item) in order to seek representations on soundness and legal compliance on the new Development Plan, known as the 'Plan for Stafford Borough - Part 2', leading to Submission and an independent Examination.

2 Decision of the Cabinet

2.1 That the Cabinet takes account of the responses to the document 'The Plan for Stafford Borough - Part 2 Proposals Consultation Stage', within the Summary of Responses, and agrees with the changes to the 'Plan for Stafford Borough - Part 2 Publication' as a result of the responses received, (**APPENDIX**).

2.2 That the ‘Plan for Stafford Borough - Part 2 Publication’ be referred to Council for approval, in order to seek representations on soundness and legal compliance.

2.3 That the Cabinet Member for Planning and Regeneration be delegated with the responsibility 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.

3 Key Issues

3.1 The Plan for Stafford Borough: Part 2 (formerly known as the Site Allocations document) sets out proposed settlement boundaries for Stafford, Stone and the Key Service Villages, establishes boundaries for the Recognised Industrial Estates, considers retail boundaries and frontages, and gypsy and traveller allocations. As the core direction of travel has been established in the Plan for Stafford Borough there are limits on the potential discrete 'options' available.

3.2 Following consideration of responses to the “Plan for Stafford Borough - Part 2 Proposals Consultation Stage” the next key stage in the process is to seek representations on soundness and legal compliance through the pre-submission consultation (Publication) stage. Representations will be sought on the ‘Plan for Stafford Borough - Part 2 Publication’ until 12 noon on Monday 25 January 2016.

3.3 The ‘Plan for Stafford Borough - Part 2 Publication’ is subject to a Sustainability Appraisal, detailed in the Sustainability Appraisal Report (please see the attached **BOOKLET**). No changes to the Publication version of the Plan are recommended through the Sustainability Appraisal Report.

4 Relationship to Corporate Priorities

4.1 The Plan for Stafford Borough provides the future planning strategy for the Corporate Priorities of Prosperity, Community Safety and Management of Public Spaces.

5 Background

National Policy

5.1 In March 2012 National planning policy in Planning Policy Statements and Planning Policy Guidance was replaced by the National Planning Policy Framework which sets out the national context for preparing policies in new Local Plans. The purpose of planning was defined as achieving sustainable development, with this approach amplified through core planning principles and a general approach requiring that Local Plans should bring forward sufficient land of a suitable quality in appropriate locations to meet objectively assessed needs.

The Plan for Stafford Borough

5.2 The Plan for Stafford Borough sets out the strategic policies for the Borough. It contains the development strategy, including identifying the sustainable settlement hierarchy, allocates significant development for Stafford and Stone through Strategic Development Locations and details topic specific policies. The Plan for Stafford Borough was adopted on the 19 June 2014.

Consultation

5.3 During June and July 2015 'The Plan for Stafford Borough - Part 2 Proposals Consultation Stage' was consulted upon. 418 responses were received as part of this consultation exercise by the deadline on 15 July 2015, which are available to view through Stafford Borough Council's web-site. The attached **BOOKLET** to this report sets out a summary of these responses, as well as the Borough Council's response to the issues raised. The full Schedule of Representations received is available on request. The following key issues were raised through the responses received, shown in italics below, together with the Council's response:

Part 2 General Issues

- *The figure of 10,000 houses over the Plan period is target; it is not a ceiling or a maximum. The Plan is too reliant upon the Strategic Development Locations delivering the houses. There is limited opportunity for other sites to be allocated for housing*.

  Council response: The target figure of 10,000 new homes is not a maximum, but new development must be delivered proportionally in accordance with the sustainable settlement hierarchy. Furthermore, the proper planning of the Borough (and practical delivery of major change) requires also that growth be balanced by the timely and resourced provision of necessary infrastructure, and accommodated sustainably - which means that growth cannot be unfettered, but needs to be controlled and planned. Since a substantial proportion of the housing requirement is already determined by the provision made by the SDLs, and elsewhere in the Borough by subsequent development and by extant permissions, it is not necessary for the Part 2 document to make specific allocations for additional housing sites, other than those being promoted in the Neighbourhood Plans.

- *Failing to identify community facilities in the Stafford, Stone and the Key Service Villages.*

  Council response: The Part 2 Proposals document identified community facilities in Stafford, Stone and the Key Service Villages. However following receipt of the representations, it is apparent that it is not practically possible to identify an exhaustive agreed list of all the

relevant community and social facilities within those settlements and those in the rest of the Borough. It is proposed to omit the tables and Inset Plans identifying the community facilities for Stafford, Stone and the Key Service Villages and to amend the wording to policy SB2 to protect social and community facilities across the Borough.

Stafford

- *Land adjacent to Falmouth Avenue, Stafford, should be designated as a Local Green Space (66 representations submitted in total as well as the local MP Jeremy Lefroy)*.

  Council response: The land at Falmouth Avenue was allocated in the previous Stafford Borough Local Plan 2001 as suitable for housing, but was never developed. The new Stafford Settlement Boundary excludes this area of land, as it is not considered suitable for development within the context of Spatial Principle 7 of the Plan for Stafford Borough. As a general principle, the consultation process has demonstrated that insufficient suitable evidence has been gathered to support Local Green Space designations throughout the Borough in accordance with the requirements of the NPPF. Even where comments have been received, as in the case of Falmouth Avenue; evidence is not conclusive in terms of the NPPF criteria, and cannot easily distinguish local views about the relative importance of protecting land as greenspace from general expressions of opposition to further local development.

- *The University of Staffordshire campus in Stafford should not be designated as employment land. The sports centre is not a community facility as it is not a facility that the public authority has a controlling interest in*.

  Council response: It is proposed to remove the employment site designation and amend Policy SB2 to protect social and community facilities, including sports facilities. As the facilities are available to, and used by, the general public, it is considered that the facilities will be protected under the policy. This policy states that alternative uses are only acceptable when it can be demonstrated that the site has been actively been marketed for more than twelve months for alternative social and community use, it can be established that the facility is no longer required, or can be served in an alternative location within the same settlement or in a manner that is equally accessible to the community.

Stone

- *The tennis courts and playground Westbridge Park, Stone should be designated a local community facility. It should not be redeveloped to accommodate a supermarket*.

Council response: The settlement boundary for Stone reflects the Green Infrastructure boundary that was identified in the adopted Plan for Stafford Borough. Change of use will be considered in the context of amended Policy SB2.

- *Land at Westbridge Park should be designated as Local Green Space*.

  Council response: Local Green Space was not identified as a strategic issue within the adopted Plan for Stafford Borough and no detailed assessment has been prepared to demonstrate how the land meets the criteria of the NPPF. As a general principle, the consultation process has demonstrated that insufficient suitable evidence has been gathered to support Local Green Space designations throughout the Borough in accordance with the requirements of the NPPF. Even where comments have been received, as in the case of Westbridge Park; evidence is not conclusive in terms of the NPPF criteria, and cannot easily distinguish local views about the relative importance of protecting land as greenspace from general expressions of opposition to further local development. Westbridge Park is afforded protection through Policies C7 and N4 of the adopted Plan. Local communities have the opportunity to designate Local Green Space through Neighbourhood Plans.

- *Additional secondary frontages should be identified in Stone.*

  Council response: Following the consultation, it is not proposed to have a policy on protecting retail frontages, as this does not reflect the changing nature of centres and the changes in retailing generally, caused by on-line shopping. The town centre policies need to allow flexibility to support their viability and vitality. Therefore the Publication document proposes to omit the inset plans showing the Primary and Secondary frontages for Stafford and Stone town centres, relying on Policy E8 of the adopted Plan for Stafford Borough and the approach in the NPPF.

- *As shown on the Settlement Boundary for Stone, land adjacent to Nicholls Lane should not be included in the Settlement Boundary*.

  Council response: Agreed to exclude this land from the Stone Settlement Boundary. Local communities have the opportunity to designate Local Green Space through Neighbourhood Plans.

  Land adjacent to Tilling Drive, Walton, Stone, should be designated as Local Green Space (10 representations submitted).

  Council response: Local Green Space was not identified as a strategic issue within the adopted Plan for Stafford Borough and no detailed assessment has been prepared to demonstrate how the site meets the

criteria of the NPPF.As a general principle, the consultation process has demonstrated that insufficient suitable evidence has been gathered to support Local Green Space designations throughout the Borough in accordance with the requirements of the NPPF. Even where comments have been received, as in the case of Tilling Drive; evidence is not conclusive in terms of the NPPF criteria, and cannot easily distinguish local views about the relative importance of protecting land as greenspace from general expressions of opposition to further local development.

Tilling Drive is afforded protection through Policies C7 and N4 of the adopted Plan. Local communities have the opportunity to designate Local Green Space through Neighbourhood Plans.

Stone Town Council and Stone Independent Group submitted representations to include land as Local Green Space.

Council response: Local Green Space was not identified as a strategic issue within the adopted Plan for Stafford Borough and no detailed assessment has been prepared to demonstrate how the areas meet the criteria of the NPPF.

The land identified by the respective groups will be afforded protection through Policies C7 and N4 of the adopted Plan. Local communities have the opportunity to designate Local Green Space through Neighbourhood Plans.

Great Haywood

- *Land adjacent to Marlborough Close, Great Haywood, should be designated as Local Green Space (16 representations have been submitted).*

  Council response: Subject to designation within the emerging Neighbourhood Plan this land will be identified as Local Green Space on the Great Haywood Policies Map inset.

Woodseaves

- *The Settlement Boundary in Woodseaves should be amended to accommodate additional housing and a play area/car park to serve the school.*

  Council response: No changes are proposed to the Settlement Boundary as releasing this land would undermine the balance of the Sustainable Settlement Hierarchy in the context of completions and existing commitments already exceeded in Stafford, Stone and the Key Service Villages.

5.4 It is proposed to amend the Plan for Stafford Borough - Part 2 as a result of the consultations received and other considerations, in order to produce the Publication version. The proposed amendments are included in the **APPENDIX** to this report.

5.5 The amended version is included as a **BOOKLET** to this report, under the title 'The Plan for Stafford Borough - Part 2 Publication'.

5.6 Representations on soundness and legal compliance on 'The Plan for Stafford Borough - Part 2 Publication' will last for 6 weeks and include the following:

- Notify Parish Councils, Members, general and specific consultees of publication of the document and provide an opportunity to make representations for at least 6 weeks.
- Copies of the document provided to all libraries and at the Civic Centre.
- Availability to view the document and the related evidence base via the Council's website.
- The opportunity to make representations via the web-site, by email or on paper.

5.7 Following this formal statutory stage, as required by the Local Planning Regulations 2012 on 'The Plan for Stafford Borough - Part 2 Publication' and the updated Sustainability Appraisal Report, representations will be assessed and summarised. Subsequently 'The Plan for Stafford Borough - Submission' will be prepared and submitted to the Secretary of State for an independent Public Examination alongside the Revised Final Sustainability Appraisal Report and all of the representations on 'The Plan for Stafford Borough - Part 2 Publication'. An Inspector will consider the representations and will hold a Public Examination in order to reach a recommendation on the soundness of the document. The Examination will be conducted in public.

5.8 Following the Examination an Inspector's Report will be produced for the Council. The Plan for Stafford Borough will then be considered for adoption by Full Council.

6 Implications

6.1	**Financial**	None identified
	Legal	Part 2 subject to an independent Examination
	Human Resources	None identified
	Human Rights Act	Part 2 subject to public consultation in line with Statement of Community Involvement and NPPF
	Data Protection	None identified
	Risk Management	Delay and / or uncertainty lead to Legal Challenges and / or Appeals

6.2 **Equality and Diversity**	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

Cabinet - 5 November 2015 - Minute No CAB37/15

Background Papers

File available in Planning and Regeneration

APPENDIX

PLAN FOR STAFFORD BOROUGH – PUBLICATION

CABINET MEETING – 12 OCTOBER 2015

LIST OF PROPOSED CHANGES TO PLAN FOR STAFFORD BOROUGH – PART 2 PROPOSALS CONSULTATION STAGE

NB: Changes to text are 'strike through' and new text is **BOLD**

Page 2 Paragraph 1.1	Amend Second sentence of paragraph to read: The Local Plan ~~will~~ guide**s** where new development will take place across the Borough area, and ~~identify~~ **identifies** how places will be shaped in the future.
Page 2 Paragraph 1.2	Amend bullet point 2 to read: **The Plan for Stafford Borough: Part 2** (formerly known as the Site Allocations document) sets out an approach to development in the sustainable settlement hierarchy, establishes settlement boundaries for Stafford, Stone and the Key Service Villages, together with boundaries for the Recognised Industrial Estates; considers retail frontages; and addresses the need for gypsy and traveller allocations.
Page 3	Amend title, replace paragraphs 1.6 **and** 1.7**,** and update Table 1 **What is the Publication Document?** 1.6 **Following consultation on the 'Plan for Stafford Borough Part 2 Proposals' which closed in July 2015, this document is the 'Plan for Stafford Borough Part 2 – Publication'. The document sets out a number of boundaries and policies to guide decision-making on planning applications. As the core direction of travel has been established in the adopted Plan for Stafford Borough (June 2014), there are limits to the changes contained within the Plan for Stafford Borough Part 2. Following responses received on the Part 2 Proposals document, amendments have been made to the settlement and Recognised Industrial Estate boundaries, Local Green Spaces, Community Facilities and retail boundaries. This next stage provides members of the public and key stakeholders with the opportunity to make representations on the soundness of any paragraph and policy in the document, and of the legal compliance of the Plan's content and the process used in its preparation.** **1.7 Following the consultation stage on this Publication document, the Council will assess the representations**

received and produce a Submission version of the Plan for Stafford Borough Part 2 for an independent Examination. Following the Examination and receipt of an Inspector's Report, the Plan for Stafford Borough Part 2 (modified as necessary in line with the Inspector's Report's conclusions) will then be formally adopted by the Council.

Table 1 Timetable for production of the Plan for Stafford Borough Part 2

Milestone	**Target**
Commencement	Underway
Proposals consultation	**Completed July 2015**
Publication	December 2015
Submission to Secretary of State	April 2016
Examination	July 2016
Adoption	December 2016

Page 3 paragraph 1.8

Amend paragraph to read:
"In preparing the Plan for Stafford Borough Part 2 ~~Proposals~~ **Publication** document, a wide range of evidence, technical studies and consultations concerning the **adopted** Plan for Stafford Borough has been taken into account. **There is** now the opportunity to make final representations on the soundness and legal compliance of the Publication document **prior to the Examination process**. ~~All the responses received will be considered by the Council before putting together the Publication version of the Plan later this year."~~

Page 3 paragraph 1.9

Amend paragraph to read:
You are invited to make your comments on the content of any paragraph in the document. If you are doing this using the on-line consultation you can click to the right of each paragraph. If you choose to use e-mail or letter we would ask you to identify the paragraph number, specific boundary, and location or question to which your comments refer. All comments received will be published and made available to view on-line.

Page 4

Amend table consultation deadline to read:
"If you wish to make representations on the Publication Document please respond to Stafford Borough Council by 12 noon on ~~Wednesday 15th July 2015~~ Monday 25th January 2016.

Page 4 paragraph 1.10

Amend last two sentences to read:
"A similar process ~~will be~~ **has been** carried out in producing the Plan for Stafford borough Part 2. The Sustainability Appraisal to support this ~~Proposals~~ **Publication** document can be found at www.staffordbc.gov.uk/sustainability-appraisal

Page 6 Table 2

Amend heading to Table to read
"Table 2 ~~Current~~ Commitments **as of 31st March 2015**"

Page 6 paragraph 2.4	Amend the paragraph to read: As the table above demonstrates more houses are likely to be delivered than the target figure of 10,000 houses over the Plan period. **Since such a substantial proportion of the housing requirement is already determined in this way, it is not necessary for this Part 2 document to make specific allocations for additional housing sites.** ~~This~~ The figure **of 10,000** does not represent a ceiling or a maximum, but establishes a context against which necessary supporting infrastructure can be planned. In addition, and more importantly for the work of Part 2, the Plan for Stafford Borough also establishes a clear intent that, in order to promote patterns of development that are sustainable, growth should be distributed to reflect the % split established in Spatial Principle 4 (SP4). One of the ways that the Plan can control the direction of change is by establishing settlement boundaries for each of the settlements in the sustainable settlement hierarchy.
Page 7 paragraph 2.8	Amend sentence to read: "To support this hierarchy, and to ensure the levels of growth remain consistent with the proportions of SP4, settlement boundaries ~~will be~~ **have been** established for each settlement in the hierarchy, based on the Plan for Stafford Borough Spatial Principle 7".
Page 9 paragraph 2.11	Amend and add additional bullet point to the methodology: • ~~Sites with planning permission (a mixture of completed and un-implemented permissions)~~ Completed sites and sites with extant planning permission • **The Strategic Development Locations**
Paragraph 2.13	Amend paragraph to read: "The proposed boundaries have been drawn following recognisable physical features, wherever possible, in order to make their definition understandable and workable in practice. Features that ~~may be~~ **have been** used include roads, rivers and field boundaries".
Page 10 paragraph 2.19	Amend last two sentences of the paragraph to read as follows: "There ~~is~~ **has been** no need to review the green belt within Stafford Borough as **there is** ample land available in locations outside of the greenbelt to meet the development needs of the Borough. Therefore no review of the green belt ~~is proposed~~ **has been undertaken**".
Page 10 paragraph 2.21	Delete the second sentence of the paragraph ~~"A decision must be taken as to whether to include garden land on the edge of the main built-up area as part of the settlement or to exclude it".~~

Page 10 paragraph 2.23	Amend and delete latter part of the paragraph: "Some of the Neighbourhood Plans have proposed allocations in their draft/pre-submission Plans, and these have been reflected on the settlement boundary ~~proposed below~~ **inset maps.** ~~It is noted that some of the allocations in Neighbourhood Plans will provide more housing in Key Service Villages than was anticipated in the Plan for Stafford Borough~~. ~~However, as the time scales of the Neighbourhood Plans may extend beyond 2031 this does not undermine the development strategy of Plan for Stafford Borough".~~
Page 11 paragraph 2.24	Amend the paragraph to read: **"**As neighbourhood plans are progressing through their separate consultation processes within each parish, alterations to the KSV boundary may be proposed. It is intended that the KSV boundary shown in the Plan for Stafford Borough Part 2 and the individual neighbourhood plans should be exactly the same to avoid confusion. ~~Where alterations are suggested as a result of a consultation, the Parish concerned and the Borough Council will establish a solution and the maps within each document will be updated. This close working relationship will ensure that the proposals will remain consistent between the neighbourhood plans and the Plan for Stafford Borough Part 2.~~ **If appropriate, the Policy Map will be updated once a Neighbourhood Plan is adopted".**
Page 11 sub heading	Amend as sub heading to read: ~~Proposed~~ **The** Settlement Boundaries
Page 11 paragraph 2.25	Amend the first sentence to read as follows: "Using the above methodology, in particular the principle set out in Spatial Principle 7 (SP7) ~~potential~~ boundaries have been established for each settlement".
Page 12 paragraph 2.27	Amend sentence to read: "~~For each settlement one preferred option is set out.~~ **For each settlement in the sustainable development hierarchy, a Settlement Boundary has been established".**
Page 12 Question 1	Delete Question 1
Page 12 sub heading	Delete Sub heading: ~~Protected Land within Boundaries~~
Page 12 paragraph 2.28	Delete paragraph
Page 12 paragraph 2.29	Amend second sentence of the paragraph to read: The protected community facilities designation seeks to prevent the change of use of key community facilities to non-community uses.

	For the purpose of protecting village facilities, non community use will be regarded as B1 (a) (b), (c), B2, B8, C2 or C3 and ~~non-specified~~ Sui Generis **uses** (a definition and summary of the Use Classes Order can be found in the Appendix) in line with Spatial Principle 7, Policy E2 and Policy E8 of the Plan for Stafford Borough.
Page 13 Paragraph 2.31	Delete second sentence: ~~"The Council has therefore identified from local knowledge a range of community facilities which are considered important to the local community".~~ Replace with: **"The provision of social and community facilities is integral to supporting sustainable communities and it is important to protect existing facilities (both internal and external spaces). For the purposes of the Local Plan, social and community uses are defined as including: community/meeting halls and rooms, doctors, dentists, hospitals and other health facilities; libraries; police and other emergency facilities; places of worship; schools and other educational establishments; and sport facilities. In addition, outside of the settlement boundaries of Stafford and Stone, public houses are also included".**
Page 14 Policy SB2	Amend the title of Policy SB2 to read: "Policy SB2 **Social and** Community Facilities"
Page 14 Policy SB2	Amend the policy to read: ~~Within the areas designated as protected community facilities on the inset maps,~~ **The Plan seeks to ensure that social and community uses which meet on-going local community needs are protected throughout the Borough, and will support the provision of new facilities.** Change of use to B1 (a), (b), (c), B2, B8, C2, C3, and Sui Generis uses will be resisted unless it can be established that the services provided by the facility are no longer required and it can be demonstrated that the site has been actively marketed for an alternative social or community use for over **twelve months**, or can be served in an alternative location within the same settlement, or in a manner that is equally accessible to the local community.
Page 14 Question2	Delete Question 2
Page 14 Paragraph 2.34- 2.36	Delete the paragraphs 2.34 to 2.36 and replace with: **"The Local Green Space designation was introduced by the National Planning Policy Framework (paras. 76 – 78) to enable local communities through local and neighbourhood plans to identify green areas of particular importance to them for special protection.**

The vast majority of Local Green Spaces identified in the Proposals Document did not receive responses from the local community, and therefore the Council is unable to assess adequately how these Local Green Spaces might meet the criteria set out in the NPPF, notably bullet point 2 of paragraph 76 which states the following: "*where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife".*

In the very few instances where representations have been received which do potentially support designation as Local Green Space, there is nonetheless insufficient comprehensive evidence to demonstrate how the criteria of the NPPF have been met, and to distinguish local views about the relative importance of protecting land as greenspace from general expressions of opposition to further local development.

The most appropriate vehicle to make an assessment to designate a Local Green Space is through Neighbourhood Plans, either prepared by a Parish council or a Neighbourhood Forum. Where a Neighbourhood Plan designates a Local Green Space, this will be shown on the Policy Map. It should be noted that Policy C7 of the Plan for Stafford Borough seeks to retain, protect, supplement or enhance open space, sport and recreation throughout the Borough. Policy N4 states that the green infrastructure network identified on the Policies Map will be protected, enhanced and expanded".

Page 15 Policy SB3	Delete policy SB3
Page 15 Question 3	Delete Question 3
Page 15 Paragraph 2.38	Amend paragraph to read: "Some of the proposed protected areas (the strategic allocations) were identified for employment use on the Inset maps of the Plan for Stafford Borough. As intended by Policies Stafford 1, 2, 3 and **4** and Stone 1 and 2 of the Plan for Stafford Borough, these areas should remain as employment land. **Proposals for development related to the existing agricultural use, prior to the strategic allocations coming forward, will be assessed under Policy E2 of the Plan for Stafford Borough.** The same principle of ensuring sufficient employment land in appropriate locations applies to the existing employment areas identified for protection. The proposed protected employment areas have been identified on the Policies inset maps for Stafford and Stone".
Page 15 Policy SB4	Amend policy number and text to read: **SB3** Stafford and Stone Employment Areas **"**Within the areas designated as employment areas on the inset maps, only employment uses consistent with Policies E2, Stafford 1,

	2, 3, and **4;** and Stone 1 and 2 of the Plan for Stafford Borough will be permitted. **Proposals for development related to the existing agricultural use, prior to the strategic allocations coming forward, will be assessed under Policy E2 of the Plan for Stafford Borough**.**"**
Page 16 Paragraph 2.39	Amend the paragraph as follows: "The new Settlement Boundary for Stafford incorporates MOD Stafford (Beacon Barracks). The MOD site is a large area of land to the north ~~west~~ **east** of the town. Policy Stafford 1 of the Plan for Stafford Borough states that the Plan supports further development of MOD land at Stafford as a military base in the West Midlands. To **support** ~~ensure~~ **its** ~~delivery~~ **ongoing operational use,** ~~of the MOD proposals on this site~~ the MOD land ~~in the boundary~~ is identified as a protected area on the Stafford Town inset map".
Page 16 Question 4	Delete Question 4
Page 16 Paragraph 2.40	Amend the second sentence of the paragraph: "It is the location for ~~three~~ **four** of the Strategic Development Locations allocated in the Plan for Stafford Borough".
Page 16 Paragraph 2.41	Amend third sentence of the paragraph to read: "The northern boundary of the settlement runs along the boundary of the allocated North of Stafford SDL. In the north east corner of the town the boundary runs around the MOD site and the eastern Stafford employment SDL. ~~The boundary then runs south through the Staffordshire University Campus and around the Stafford East residential SDL allocation at Tixall Road.~~ **The boundary runs south along Blackheath Lane, where it meets St Thomas' Lane.** The boundary then runs east, back in towards the centre of town along Tixall Road taking in the Perkins factory, the Kingston Centre and housing that borders the River Sow corridor".
Page 16 Paragraph 2.42	Amend second sentence of the paragraph to read: "It continues at the back edge of properties off the A34 before expanding to incorporate the Alstom Grid site **including land with outline planning permission for residential units (09/12207/OUT)".**
Page 18 Paragraph 2.46	Delete paragraph
Page 18 Table 4	Delete Table 4
Page 26 Questions 6-9	Delete questions 6-9
Page 27 Paragraph 2.47	Amend paragraph to read:

	Stone is the second largest settlement in the sustainable settlement hierarchy, it is the location for one of the key Strategic Development Locations **for housing** allocated in the Plan for Stafford Borough.
Page 27 Paragraph 2.48	Amend third sentence of the paragraph to read: "~~A small~~ **The small** ~~area of greenspace~~ **greenfield area** between Blackies Lane and Farriers Close has been excluded from the settlement boundary".
Page 27 Paragraph 2.50	Delete paragraph
Page 27 Table 5	Delete Table 5
Page 29 Question 10	Delete Question 10
Page 30 Questions 11-13	Delete Questions 11-13
Page 30 Paragraph 2.52	Delete paragraph and replace with the following text: **"The Barlaston settlement boundary is consistent with Strategic Principle SP7 within the adopted Plan for Stafford Borough, and has been developed in consultation with the Parish Council who are preparing the Neighbourhood Plan. It includes the Wedgwood Memorial College and Estoril House sites".**
Page 31 Paragraph 2.53	Delete paragraph
Page 31 Table 6	Delete Table 6
Page 31 Question 14	Delete Question 14
Page 32 Questions 15 -16	Delete Questions 15 -16
Page 32 Paragraph 2.54	Delete last two sentences of paragraph and replace with the following: "**The settlement boundary is consistent with Strategic Principle SP7 and in accordance with the draft Eccleshall Neighbourhood Plan".**
Page 32 paragraph 2.55	Amend paragraph to read: To the north of the village the boundary has been drawn to include the allocations proposed in the Eccleshall ~~pre-submission~~ neighbourhood plan, which are bordered by the River Sow.
Page 32 paragraph 2.56	Delete paragraph
Page 33 Table 7	Delete Table 7
Page 33 Questions 17 -18	Delete Questions 17 -18

Page 34 Question 19	Delete Question 19
Page 34 Paragraph 2.57	Delete last sentence of paragraph and replace with the following: **"The settlement boundary is consistent with Strategic Principle SP7 and in accordance with the Gnosall Neighbourhood Plan".**
Page 34 Paragraph 2.58	Amend planning application reference: 14/200~~81~~/FUL to 14/200**18**/FUL
Page 34 Paragraph 2.60	Delete paragraph
Page 35 Table 8	Delete Table 8
Page 36 Questions 20 – 22	Delete Questions 20 – 22
Page 36 Paragraph 2.62	Delete paragraph
Page 37 Table 9	Delete Table 9
Page 37 Questions 23 – 25	Delete Questions 23 – 25
Page 38 Paragraph 2.63	Delete last sentence of paragraph and replace with the following: "The settlement boundary is consistent with Strategic Principle 7 and in accordance with the emerging Hixon Neighbourhood Plan."
Page 38 Paragraph 2.65	Delete paragraph
Page 38 Table 10	Delete Table 10
Page 39 Questions 26-28	Delete Questions 26-28
Page 39/40 Paragraph 2.66	Delete paragraph and replace with the following: **"Located within the parish of Colwich, Great Haywood is a moderately sized settlement located to the east of Stafford. To the east the settlement is bounded by the A51 road, to the west it is principally defined by the railway line and to the south it is separated from Little Haywood by a ridge. Colwich Parish Council are producing a neighbourhood plan for the Parish of Colwich (which contains 2 KSVs Great Haywood and Little Haywood / Colwich) and are proposing to allocate sites in their Plan. The settlement boundary is consistent with Strategic Principle SP7 and in accordance with the emerging Colwich Neighbourhood Plan".**
Page 40 Paragraph 2.67	**Amend first sentence of the paragraph to read:** "The eastern edge of the boundary runs along the A51 and incorporates two sites which have planning permission for a total of

	122 houses (45 under 14/21135/OUT and 77 under 14/20886/OUT), **it then returns to the properties of Earls Way who front onto the green space and follows Old Field Crescent where it meets the A51 again".**
Page 40 Paragraph 2.68	Delete paragraph
Page 40 Table 11	Delete Table 11
Page 41 Paragraph 2.69	Delete last sentence of the paragraph and replace with the following: "**Colwich Parish Council are producing a neighbourhood plan for the Parish of Colwich (which contains 2 KSVs Great Haywood and Little Haywood / Colwich) and are proposing to allocate sites in their Plan, however these are in Great Haywood. The settlement boundary is consistent with Strategic Principle SP7 and in accordance with the emerging Colwich Neighbourhood Plan".**
Page 41 Questions 29- 31	Delete Questions 29- 31
Page 42 Paragraph 2.70	Amend last sentence to paragraph to read: To the south the boundary runs along the Trent and Mersey canal ~~up to~~ and **excludes** Church Farm, **but** includes the Railway cottages.
Page 42 Paragraph 2.71	Delete paragraph
Page 42 Table 12	Delete Table 12
Page 42 Questions 32- 33	Delete Questions 32-33
Page 43 Question 34	Delete Question 34
Page 43 Paragraph 2.72	Amend final sentence to read: The boundary has been drawn along the boundary of the Green Belt designation**.** ~~with the exception of the C o E primary school which is outside the green belt and outside the settlement boundary.~~
Page 43 Paragraph 2.73	Delete paragraph
Page 43 Table 13	Delete Table 13
Page 43 Question 35	Delete Question 35
Page 44 Question 36-37	Delete Questions 36-37
Page 44 Paragraph 2.76	Delete paragraph
Page 44 Table 14	Delete Table 14

Page 45 Questions 38-40	Delete Questions 38-40
Page 46 Paragraph 2.78	Delete paragraph
Page 46 Table 15	Delete Table 15
Page 46 Questions 41-42	Delete Questions 41-42
Page 47 Question 43	Delete Question 43
Page 47 Paragraph 2.80	Delete paragraph
Page 47 Table 16	Delete Table 16
Page 47 Question 44	Delete Question
Page 48 Questions 45 and 46	Delete Questions 45 and 46
Page 49 Paragraph 3.3	Delete paragraph and replace with the following: **"The adopted Plan for Stafford Borough, at paragraph 7.15, states that the need for a primary and secondary frontage policy (and the location of defined frontages if a different approach is appropriate) will be considered in the subsequent Site Allocation development plan Document. A retail frontage policy is not explicitly required by the NPPF: Local authorities are required to '*define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres, and set policies that make clear which uses will be permitted in such locations.*' The retail sector is changing quickly, and identifying frontages may restrict flexibility and could have a negative impact upon the vitality and viability of Stafford and Stone Town Centres. Therefore no additional policy is required for retail frontages, with decision-making on planning applications based on Policy E8 in the adopted Plan for Stafford Borough".**
Page 49 Title, paragraphs 3.4-3.6	Delete title and paragraphs
Page 50 Plan	Delete Stafford Town Centre Retail Frontages
Page 51 Plan	Delete Stafford Town Centre Retail Frontages
Page 52 Paragraph 3.7	Delete paragraph
Page 52 Paragraph 3.8	Delete paragraph

Page 52 Table 17	Delete Table 17
Page 52 Paragraph 3.9	Delete paragraph
Page 52 Policy RET1	Delete policy
Page 52 Paragraph 3.10	Delete paragraph
Page 53 Question 47	Delete Question 47
Page 53 Question 48	Delete Question 48
Page 54 Question 49	Delete Question 49
Page 55 Paragraph 4.2	Delete the following as planning permission has been granted: "~~An extension of time application is currently under consideration~~"
Page 55 Paragraph 4.5	Amend final sentence to read: Therefore boundaries for all RIEs (except Moorfields) ~~will be~~ have been established in this document.
Page 56 Question 50	Delete Question 50
Page 57 Question 51	Delete Question 51
Page 58 Paragraph 5.1	Amend paragraph as follows: A Gypsy and Traveller Accommodation Needs Assessment (GTAA) was published in ~~2013~~ **2015** as evidence to support the Plan for Stafford Borough. This document demonstrated a need for ~~44~~ 43 new pitches over the Plan period. The Council has already made significant progress towards meeting the requirement of ~~44~~ **43** new pitches over the Plan period with the granting of permission for 36 new pitches at St Albans Road (13/19256/FUL). This means that there are only ~~8~~ **7** pitches required to meet the identified need up to 2031.
Page 58 Paragraph 5.2	Delete Paragraph
Page 58 Paragraph 5.3	Delete first sentence of paragraph
Page 58 Paragraph 5.4	The intention at the time of writing the Plan for Stafford Borough was that this Part 2 document would identify specific sites for allocation as gypsy and traveller sites. However, because the site at St Albans Road has been granted planning permission, which meets ~~81~~ **84**% of the identified needs, the remaining requirement over the Plan period is now for only ~~8~~ **7** pitches. It is anticipated that this small number of pitches can be provided through windfall sites prior

	to 2031. Therefore no further allocation is being made for gypsy and traveller sites.
Page 58 Paragraph 5.5	Delete paragraph
Page 58 Question 52	Delete Question 52
Page 59 Paragraph 6.1	Amend paragraph and insert new table

The purpose of monitoring and review is to assess the delivery and implementation of the new Local Plan. The Stafford Borough Authority Monitoring Report provides a robust and effective review and monitoring approach.

Policy SB2 is relevant for monitoring using the following indicator and target for implementation. Polices SB1, SB3 and RIE1 will be monitored through the adopted Plan for Stafford Borough.

Indicator	Target	Implementation
Amount of community land and floorspace lost to other uses	Minimise loss of social and community facilities to other uses	Through Stafford Borough Council Forward Planning section in conjunction with the development management decision making process and local partnership organisations

Inset Plans Amendments

1. Stafford Settlement Boundary: Amend Stafford eastern settlement boundary so that it runs along Blackheath Lane.
2. Stafford Settlement Boundary: amend settlement boundary to include land with outline planning permission at Leonards Avenue adjacent to the Alston Grid site (09/12207/OUT).
3. Stafford Settlement Boundary: Omit Staffordshire University, the police headquarters from the employment zone.
4. Stafford Settlement Boundary: amend MOD zone to reflect land ownership discrepancy south of Hopton Lane and amend settlement boundary.
5. Ladfordfield Industrial Estate RIE – inclusion of land within the RIE boundary to take into account planning permission (12/16590/COU) to use the land for storage/parking.
6. Colwich Settlement Boundary: Amend the boundary to omit Church Farm so that it is aligned with the Neighbourhood Plan.
7. Great Haywood Settlement Boundary: Amend boundary to align with the Neighbourhood Plan.
8. Hixon Settlement Boundary: Amend boundary at to include land that was granted planning permission for an additional; dwelling at Chase Farm View, Puddle Hill.

9. Tittensor Settlement Boundary: amend the boundary to include the primary school.
10. Remove primary and secondary retail frontages plans for Stafford and Stone.
11. Omit all Local Green Space from Inset plans.
12. Omit all community facilities from inset plans.

ITEM NO 13 **ITEM NO 13**

Report of:	**Head of Planning and Regeneration**
Contact Officer:	**Raj Bains**
Telephone No:	**01785 619591**
Ward Interest:	**Nil**
Report Track:	**Cabinet 5/11/15 Council 24/11/15**

COUNCIL

24 NOVEMBER 2015

Gnosall Neighbourhood Plan - Adoption

The following report was considered by Cabinet at its meeting held on 5 November 2015 and is submitted to Council for consultation.

A hard copy of the booklet referred to is available upon request.

1 Purpose of Report

1.1 To recommend to Council that the Gnosall Neighbourhood Plan be formally adopted as part of the statutory development plan for Stafford Borough following a successful referendum held on 22 October 2015.

2 Proposal of Cabinet Member

2.1 That 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;

2.2 That the Decision Statement (set out in the **APPENDIX**) be recommended to Council for approval and be published with the Gnosall Neighbourhood Plan (circulated as a separate **BOOKLET**).

3 Key Issues

3.1 The Gnosall Neighbourhood Plan has been informed by a robust community consultation. It has undergone successful Examination to ensure it satisfies 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.

3.2 Following a successful Examination, the Gnosall Neighbourhood Plan received a resounding yes vote in favour of the plan at a referendum held on 22 October 2015. Local people endorsed the plan with 895 yes votes, to 69 people who voted no. It is the first Neighbourhood Plan in Stafford Borough to pass a referendum.

3.3 To comply with the Localism Act 2011 local planning authorities are required to 'make' a Neighbourhood Development Plan as soon as reasonably practicable following a successful referendum.

3.4 As with any planning decision, there is a risk of a legal challenge to the Neighbourhood Plan, and / or judicial review of the Council's decision to agree or refuse to make the Neighbourhood Plan. At all stages of preparing the Gnosall 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.

4 Relationship to Corporate Priorities

4.1 Once the Gnosall Neighbourhood Plan is made (adopted) it will contribute towards achieving the Corporate Priorities of Prosperity, Community Safety, and Management of Public Spaces.

5 Background

Development of Gnosall Neighbourhood Plan

5.1 In May 2013 Gnosall Parish Council applied to designate the Parish as a Neighbourhood Plan Area, which was approved by the Council in July 2013. Subsequently a Neighbourhood Plan Working Group consisting of local volunteers was established to produce the Neighbourhood Plan.

5.2 The Gnosall Neighbourhood Plan has been subject to extensive community consultation, and supported by a robust evidence base. The Parish Council published a pre-submission version of the Neighbourhood Plan and invited the public to comment between 10 December 2014 to 22 January 2015. Following the consultation, Gnosall Parish Council made subsequent amendments in order to produce the submission version of the plan.

5.3 In February 2015 Gnosall Parish 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 24 February and 8 April 2015. In

May 2015 the independent Examination took place when the appointed Examiner considered the representations received and all of the relevant documents.

5.4 On the 8 June, the Council received the Examiner's Report on the Gnosall Neighbourhood Plan, which recommended that the Neighbourhood Plan, subject to the Examiner's recommended modifications, should proceed to Referendum.

5.5 Gnosall Parish Council has considered the Examiner's Report and its recommendations, and is satisfied with the proposed amendments to the Plan.

5.6 After considering the Examiner's Report, the Council are satisfied that the modifications made to the Gnosall Neighbourhood Plan satisfy the basic conditions and subsequently published a decision statement to take forward the Neighbourhood Plan and proceed to referendum.

5.7 A referendum was held on 22 October 2015 to enable local people within the Parish to vote on adopting the Gnosall Neighbourhood Plan.

6 Implications

6.1 **Financial**	To support Parish Councils with Neighbourhood Plans and arrange an independent Examination and Referendum are supported by the Department for Communities and Local Government (DCLG): £5k at Designation of Neighbourhood Area, £5k at submission of a Plan prior to Examination and £20k after successful Examination. Therefore no costs will be required by the Council.
Legal	The Gnosall Neighbourhood Plan meets the legal requirements and Basic Conditions of the Neighbourhood Planning Regulations. As stated above, there is a risk of a legal challenge to the Neighbourhood Plan, and / or judicial review of the Council's decision to proceed or not proceed with the Referendum.
Human Resources	The Council appointed a full time member of staff to support Parish Councils through the Neighbourhood Planning process and administer the legislative requirements. The Elections and Corporate Support Team have provided support throughout the referendum.
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 **Equality and Diversity**	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 - Cabinet - 3 September 2015 - Minute No CAB19/15 Cabinet - 5 November 2015 - Minute No CAB39/15

Background Papers - File available in Planning and Regeneration

APPENDIX

Gnosall Neighbourhood Development Plan

Decision Statement published pursuant to the Localism Act 2011 Schedule 38A (9) and Regulations 19 and 20 of the Neighbourhood Planning (General) Regulations 2012.

At a Cabinet meeting on 5 November 2015, Stafford Borough Council formally decided to make (adopt) the Gnosall Neighbourhood Development Plan under Section 38A (4) of the Planning and Compulsory Purchase Act 2004 (as amended). This means the Gnosall Neighbourhood Development Plan has now been brought into legal force, forming part of the statutory development plan for Stafford Borough. Consequently the plan will be used to determine planning applications in Gnosall Parish.

Reasons for decision:

The Gnosall Neighbourhood Development Plan meets the basic conditions and is compliant with legal and procedural requirements. Paragraph 38A (4) (a) of the Planning and Compulsory Purchase Act 2004 requires the Council to make the Neighbourhood Plan if more than half of those voting in the referendum upon the plan have voted in favour of the plan being used to inform planning applications in the area. The Plan was endorsed by more than the required threshold in the referendum held on 22 October 2015.

This statement and the Gnosall Development Plan (adopted version) can be viewed on the Stafford Borough Council website: http://www.staffordbc.gov.uk/gnosall-neighbourhood-plan

Hard copies can be viewed at:

Stafford Borough Council
Civic Centre,
Riverside
Stafford
ST16 3AQ

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