



Please ask for: Matt Berry
E-mail: mattberry@cannockchasedc.gov.uk

7 September 2026

Dear Councillor,

Cabinet

6:00pm on Tuesday 15 September 2026

Meeting to be held in the Esperance Room, Civic Centre, Cannock

You are invited to attend this meeting for consideration of the matters itemised in the following Agenda.

Yours sincerely,

T. Clegg
Chief Executive

To:

Councillors:

Jones, P.	Leader of the Council and Regeneration and Corporate Strategy Portfolio Leader
Craddock, R.	Deputy Leader of the Council and Regulatory Services and Sustainability Portfolio Leader
Jeffery, G.	Community Safety and Wellbeing Portfolio Leader
Mandry, R.	Housing and Corporate Assets Portfolio Leader
Parkes, J.	Operational Services and Parks Portfolio Leader
Deakin, M.	Leisure, Culture and Heritage Portfolio Leader
Bell, M.	Resources and Corporate Services Portfolio Leader

Agenda

Part 1

1. Apologies

2. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members

To declare any interests in accordance with the Code of Conduct and any possible contraventions under Section 106 of the Local Government Finance Act 1992.

3. Minutes

To approve the Minutes of the meeting held on 20 August 2026 (enclosed).

4. Updates from Portfolio Leaders

To receive oral updates (if any), from the Leader of the Council, the Deputy Leader, and Portfolio Leaders.

As per the request made at the 20 August 2026 Cabinet meeting, the following are included as standing items for updates to be given by the relevant portfolio leader:

- Local Government Reorganisation
- Cannock town centre regeneration
- Museum of Cannock Chase

5. Forward Plan

Forward Plan of Decisions for September to December 2026 (Item 5.1 - 5.3).

6. Permission to Spend – Local Authority Housing Fund 4 and Supplementary Report

Report of the Head of Wellbeing (Item 6.1 – 6.27).

7. Revised Housing ASB & Hate Crime Policy

Report of the Head of Housing and Corporate Assets (Item 7.1 – 7.33).

8. South and Mid-Staffordshire Local Government Reorganisation Joint Committee

Report of the Head of Law and Governance (Item 8.1 – 8.18).

9. Community Asset Transfer Policy

Report of the Interim Head of Housing and Corporate Assets (Item 9.1 – 9.17).

Cannock Chase Council

Minutes of the Meeting of the

Cabinet

Held on Thursday 20 August 2026 at 6:00 p.m.

In the Council Chamber, Civic Centre, Cannock

Part 1

Present:

Councillors:

R. Craddock	Deputy Leader of the Council and Regulatory Services and Sustainability Portfolio Leader
G. Jeffery	Community Safety and Wellbeing Portfolio Leader
R. Mandry	Housing and Corporate Assets Portfolio Leader (<i>arrived 6:02pm</i>)
M. Deakin	Leisure, Culture and Heritage Portfolio Leader
J. Parkes	Operational Services and Parks Portfolio Leader
M. Bell	Resources and Corporate Services Portfolio Leader

28. Apologies

Apologies for absence were noted for Councillor P. Jones, Leader of the Council and Regeneration and Corporate Strategy Portfolio Leader.

In the Leader's absence, the meeting was chaired by the Deputy Leader.

29. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members

None received.

30. Cannock Town Centre Regeneration Options

Consideration was given to the Report of the Head of Economic Development and Planning (Item 7.1 – 7.129).

(Councillor Mandry arrived at the meeting during the introduction of this item.)

Resolved:

- (A) That the contents of the report be noted, including the options for the regeneration of Cannock town centre and the associated deliverability, financial implications and risks.
- (B) That the preferred strategic approach for the regeneration of Cannock town centre, in principle, be to retain and refurbish the Prince of Wales Theatre, noting that the wider opportunities identified within the Development Framework would not be progressed at this stage.
- (C) That it be noted that further detailed due diligence, design work and full business cases would need to be undertaken by officers before any final commitment was made to delivery by the Council of either option as set out in report paragraph 2.2.

In addition, the Deputy Leader reported that the refurbishment of Beecroft Road car park and the demolition of the Cabot units in Cannock town centre as agreed previously on 28 March and 12 June 2024, were supported by the Cabinet and so could still proceed as planned.

Reasons for Decisions:

A draft Development Framework had been produced by the Council's advisers (Continuum) for Members to consider, but there were other options to consider.

Members were asked to consider the other options available and the associated opportunities and risks.

Following confirmation of the preferred option, the associated detailed due diligence would have to be completed to enable future funding requirements to be established, the viability of the proposals, their phasing and the outline programme for delivery.

31. Minutes

Resolved:

That the Minutes of the meeting held on 16 July 2026 be approved.

32. Updates from Portfolio Leaders

(i) Community Safety and Wellbeing

The Portfolio Leader updated in respect of the following:

- **Community Wellbeing**

"The Community Wellbeing Service has almost completed its Summer Holiday Programme. Complementing the SPACE scheme, the service has piloted a new concept to deliver a targeted CAN tour across priority housing estates, alongside Hednesford Festival, and an event at the Family Hub in Cannock.

These activities provided free, fun opportunities for families living in areas known to experience health inequalities with children aged 0 to 11, while also promoting a range of health and wellbeing support available to parents and carers.

It has been a fantastic example of partnership working, bringing together the Special Area of Conservation team, Support Staffordshire, Family Hub, libraries and a wide range of specialists delivering arts, heritage, sports, and health.

The programme is estimated to have engaged over 400 residents and has provided valuable opportunities to promote the wider district holiday offer through the Cannock Chase CAN Kids Club and the CAN App, both of which have seen increased levels of engagement and app downloads.

The service has also worked closely with partners, including Visions and Little Sprouts, to fund two cycling coaches and loaned its bicycles for children aged 5 to 17 who were identified through the Holiday Activities and Food (HAF) programme. This enabled children to learn to ride or further develop their cycling skills, free of charge, within the setting of Cannock Chase Forest."

- **Multi-agency work on Linkway**

"Following a rise in anti-social behaviour, car meets and dangerous driving at Linkway Retail Park, the Community Safety team worked closely with Staffordshire Police and the site's management team to tackle community safety concerns.

Working in partnership we shared intelligence, used PSPO warnings and the retail park secured investment in ANPR, enhanced CCTV, monitored security systems and additional deterrent measures.

These improvements are now helping to reduce ASB, deter unsafe driving and create a safer environment for businesses, staff, residents and visitors.

- **Safer Communities, Stronger Future Chads Moor**

“Following the successful enforcement programme in Chads Moor at the end of last year, known as *Safer Communities, Stronger Future*, the Chase Partnership are now working closer with the community, addressing the longer-term causes of crime and anti-social behaviour through community development, environmental improvements and increased support services.

Damaged road signs have been replaced, activities put on with local residents and young people and skips and vans have removed bulky waste. A successful event brought together a wide range of organisations including health services, employment support and community partners to ensure residents had access to support in their neighbourhood.”

Going forward we’ll be promoting financial wellbeing, providing digital inclusion support, working with local communities to find employment opportunities for young people, rolling out dementia friendly initiatives and installing bleed kits.”

It was requested that agendas for future Cabinet meetings include standing updates on local government reorganisation, Cannock town centre redevelopment and the Museum of Cannock Chase.

33. Forward Plan

Resolved:

That the Forward Plan of Decisions for the period August to October 2026 (Item 5.1 - 5.3) be noted.

34. Recommendations Referred from the Economic Prosperity Scrutiny Committee

Consideration was given to the recommendations referred to Cabinet from the 7 July 2026 Economic Prosperity Scrutiny Committee meeting regarding the Committee’s review of the Staffordshire Local Visitor Economy and Partnership (Item 6.1).

Resolved:

That:

(A) Local Visitor Economic Partnership (LVEP) Engagement

The Council reviews its level of engagement with the Staffordshire LVEP, including the benefits of formal membership, to ensure the district maximises opportunities arising from the partnership.

(B) Tourism / Visitor Economy Strategy

Consideration be given to the development of a Tourism or Visitor Economy Strategy for Cannock Chase to provide a clear framework for future activity, aligned with available resources.

(C) Private Sector Collaboration

Stronger engagement be established with key private sector providers, including McArthurGlen, Foresty England and others, to support joint promotion, sponsorship opportunities and improved visitor offer.

(D) Town Centre Connectivity

Opportunities be explored to better link key visitor destinations with town centres, including improved signage, digital promotion, and visitor information.

(E) Events

The Council works with parish and town councils, businesses and community groups to explore opportunities to support and expand events and activities within town centres.

(F) Evidence and Local Plan

The Council continues to gather evidence on the visitor economy to inform future Local Plan policies, including opportunities for visitor accommodation and supporting infrastructure.

(G) Data and Performance Monitoring

Ongoing engagement with the LVEP and partners be used to monitor visitor economy performance and inform future decision making.

35. Complaints Monitoring 2025/26

Consideration was given to the report of the Head of Law and Governance (Item 8.1 – 8.4).

Resolved:

That the report be noted.

Reason for Decision:

The report updated Members on performance in relation to corporate complaints and complaints referred by the Local Government and Social Care Ombudsman.

36. Outturn 2025/26

Consideration was given to the report of the Deputy Chief Executive-Resources & S151 Officer (Item 9.1 – 9.35).

Resolved:

That:

- (A) The outturn position for the year ending 31 March 2026 be noted.
- (B) The financing of the capital programme as outlined in the report be approved.
- (C) Delegated authority be given to the Deputy Chief Executive-Resources & S151 Officer and the Resources and Corporate Services Portfolio Leader to utilise the regeneration revenue reserve created from the capital technical adjustment (see report paragraph 5.21) up to the value of £0.799 million in support of the town centre regeneration.
- (D) Council, at its meeting to be held on 30 September 2026, be recommended to include in the capital programme the allocation of £800k contribution to reserves (see report paragraph 3.4) for the resurfacing of Beecroft Road car park.

Reasons for Decisions:

The Budget report set out an indicative capital programme and financing, this report now set out the actual capital spend and therefore financing to be approved.

37. Quarter 1 2026/27 Performance Report

Consideration was given to the report of the Head of Business Support and Assurance (Item 10.1 – 10.27).

Resolved:

That the progress at the end of the first quarter of 2026/27 related to the delivery of the Council's priorities as detailed in report appendices 1a-1d and the key performance indicators as set out in report appendix 2, be noted.

Reason for Decision:

The performance information allowed Cabinet to monitor progress in delivery of the Council's corporate priorities and operational services.

38. Strategic Risk Register Update

Consideration was given to the report of the Head of Business Support and Assurance (Item 11.1 – 11.21).

Resolved:

- (A) That the Strategic Risk Register as set out in report appendix 2 be approved.
- (B) That the progress made in the identification and management of the strategic risks be noted.

Reason for Decisions:

Cabinet was required to approve the Strategic Risk Register.

39. Housing Services – Quarter 1 2026/27 Performance Report

Consideration was given to the report of the Head of Housing and Corporate Assets (Item 12.1 – 12.23).

Resolved:

That:

- (A) The contents of the 2026/27 Housing Services work plan and revised key performance indicators be noted.
- (B) The progress at the end of the first quarter of 2026/27 related to the delivery of the Housing services work plan as detailed in report appendix 1 and the performance information in report appendix 2 be noted.

Reason for Decisions:

The performance information allowed Cabinet to monitor progress in delivery of the Housing Services' priorities and operational services.

40. Housing Services Annual Complaints Performance and Service Improvement Report and Self-Assessment

Consideration was given to the report of the Head of Housing and Corporate Assets (Item 13.1 – 13.42).

Resolved:

That:

- (A) The contents of the Annual Complaints Performance and Service Improvement Report and self-assessment be noted.
- (B) The Report and the outcomes from the self-assessment form be approved, further to its subsequent publication on the Council's website and submission to the Housing Ombudsman.

Reasons for Decisions:

To adhere to membership requirements of the Housing Ombudsman and its Complaint Handling Code 2024 for Landlords to produce an annual complaints performance and service improvement report for scrutiny and challenge by Cabinet, which must include the annual self-assessment against the Code to ensure complaint handling policy remained in line with the Ombudsman's requirements.

41. Museum of Cannock Chase Update

Consideration was given to the report of the Head of Wellbeing (Item 14.1 – 14.5).

Resolved:

That the report be noted.

Reason for Decision:

The report was provided for information only.

42. Permission to Spend – Local Authority Housing Fund 4

Consideration was given to the report of the Head of Wellbeing (Item 15.1 – 15.6).

Resolved:

That a decision on this item be deferred until further information on the rents and service charges as outlined in paragraph 5.12 of the report is received.

43. Redevelopment of Cotswold Road Play Area

Consideration was given to the report of the Head of Operations (Item 16.1 – 16.10).

Resolved:

That:

- (A) Approval to proceed with the proposed development of Cotswold Road play area as set out in the report and detailed in report appendix 1 be granted.
- (B) Council, at its meeting to be held on 30 September 2026, be recommended to include £143,520 into the 2026/27 capital programme, made up of £143,520 of Cannock Chase Council S106 funds.

(C) Subject to decision (B), above, permission to spend £143,520 as detailed in report paragraph 6.1 to deliver the Cotswold Road play area project as set out in the report be granted.

Reasons for Decisions:

Councils had a major role to play in contributing to the provision of recreation and play facilities. The provision of high-quality recreation and play facilities that were sustainable and met the needs of the community could assist in this role.

Cotswold Road play area sat within the Hednesford Pye Green ward. The ward currently had two small play areas and one larger park (Cotswold Road play area, Bracken Close and Hednesford park). Hednesford park was awarded a Heritage Lottery bid in 2015 and had been fully refurbished. The remaining two parks had had little investment within the last twenty years.

Cotswold Road play area was last refurbished in 1996, and the development of this park would enable the Council to continue its work to deliver its multi-year capital parks programme.

44. Revenues and Benefits Collection Report – Quarter 1 2026/27

Consideration was given to the report of the Deputy Chief Executive-Resources (Item 17.1 – 17.6).

Resolved:

That:

- (A) The information regarding collections be noted.
- (B) The arrears listed in the report's confidential appendix be written off.

Reasons for Decisions:

Efficient collection of the Council's revenues was of major importance to the funding of Council services and those provided by the preceptors.

Whilst the collection rates were traditionally good, regrettably not all of the monies owed to the Council could be collected and so the report recommended write-off of bad debts that could not be recovered.

Meeting closed at 6:44pm

Leader

CCDC Forward Plan of Decisions to be taken by the Cabinet: September to December 2026

For Cannock Chase Council, a key decision is as an Executive decision that is likely to:

- Result in the Council incurring expenditure or making savings at or above a threshold of 0.5% of the gross turnover of the Council.
- Affect communities living or working in two or more Council Wards.

Representations in respect of any of matters detailed below should be sent in writing to the contact officer indicated alongside each item via email to membersservices@cannockchasedc.gov.uk.

Copies of non-confidential items will be published on the Council's website 5 clear working days prior to the relevant meeting date.

Item	Contact Officer / Cabinet Member	Date of Cabinet	Key Decision	Confidential Item	Reasons for Confidentiality	Representations Received
September 2026						
Permission to Spend – Local Authority Housing Fund 4	Head of Wellbeing / Community Safety and Wellbeing Portfolio Leader	15/09/26	No	No	N/A	N/A
Revised Housing ASB & Hate Crime Policy	Head of Housing and Corporate Assets / Housing and Corporate Assets Portfolio leader	15/09/26	Yes	No	N/A	N/A
South and Mid-Staffordshire Local Government Reorganisation Joint Committee	Head of Law and Governance / Leader of the Council	15/09/26	No	No	N/A	N/A
Community Asset Transfer Policy	Interim Head of Housing and Corporate Assets / Housing and Corporate Assets Portfolio Leader	15/09/26	Yes	No	N/A	N/A
October 2026						
Housing Services Annual Report to Tenants 2025/26	Head of Housing and Corporate Assets / Housing and Corporate Assets Portfolio leader	22/10/26	No	No	N/A	N/A

Item No. 5.2

Item	Contact Officer / Cabinet Member	Date of Cabinet	Key Decision	Confidential Item	Reasons for Confidentiality	Representations Received
Hemlock Farmhouse	Head of Housing and Corporate Assets / Housing and Corporate Assets Portfolio leader	22/10/26	No	No	N/A	N/A
Climate Action Plans 2026/27	Head of Regulatory Services / Regulatory Services and Sustainability Portfolio Leader	22/10/26	No	No	N/A	N/A
Building Safety Levy Implementation	Head of Regulatory Services / Regulatory Services and Sustainability Portfolio Leader	22/10/26	No	No	N/A	N/A
Enforcement Powers Under the Housing Act 1988	Head of Regulatory Services / Regulatory Services and Sustainability Portfolio Leader	22/10/26	No	No	N/A	N/A
Cannock Chase Statement of Community Involvement Update	Head of Economic Development and Planning / Regeneration and Corporate Strategy Portfolio Leader	22/10/26	No	No	N/A	N/A
Cannock Chase Local Plan Communication and Engagement Strategy	Head of Economic Development and Planning / Regeneration and Corporate Strategy Portfolio Leader	22/10/26	No	No	N/A	N/A
December 2026						
Quarter 2 2026/27 Performance Report	Head of Business Support and Assurance / Resources and Corporate Services Portfolio Leader	03/12/26	No	No	N/A	N/A
Strategic Risk Register Update	Head of Business Support and Assurance / Resources and Corporate Services Portfolio Leader	03/12/26	No	No	N/A	N/A

Item No. 5.3

Item	Contact Officer / Cabinet Member	Date of Cabinet	Key Decision	Confidential Item	Reasons for Confidentiality	Representations Received
Housing Services-Quarter 2 2026/27 Performance Report	Head of Housing and Corporate Assets / Housing and Corporate Assets Portfolio Leader	03/12/26	No	No	N/A	N/A
Events Policy	Head of Operations / Operational Services and Parks Portfolio Leader	03/12/26	No	No	N/A	N/A
Elmore Park Aviary	Head of Operations / Operational Services and Parks Portfolio Leader	03/12/26	No	No	N/A	N/A

Permission to Spend - Local Authority Housing Fund 4

Committee:	Cabinet
Date of Meeting:	15 September 2026
Report of:	Head of Wellbeing
Portfolio:	Community Safety and Wellbeing

1 Purpose of Report

- 1.1 To request permission to spend the Local Authority Housing Fund 4 (LAHF 4) capital allocation that has been awarded to Cannock Chase District Council from central government at a value of £325,200.
- 1.2 To request additional funding of £379,800 for the purchase of temporary accommodation.

2 Recommendations

- 2.1 To note the content of this report.
- 2.2 To give permission to spend the LAHF 4 grant. This is to contribute to the purchase of two units of temporary accommodation and one unit of resettlement housing. Additional top-up funds are requested for the purchase (and any associated refurbishment costs) of these three properties in pursuance of the LAHF 4 funding.
- 2.3 That Council incorporate the total funding amount of £705,000 into the capital programme for 2026/27.

Reasons for Recommendations

- 2.4 Increase in demand for temporary accommodation has resulted in use of bed and breakfast accommodation which is costly to the local authority and not a sustainable option for temporary accommodation.
- 2.5 Cannock Chase District Council does not have sufficient supply of temporary accommodation to meet demand resulting in use of bed and breakfast accommodation. Housing Options have been successful in obtaining LAHF 4 funding for three additional units of temporary accommodation which will help to alleviate pressures on bed and breakfast use.
- 2.6 If we do not take steps to expand our stock of temporary accommodation, we risk not being able to fulfil our statutory duties to provide suitable temporary accommodation to eligible homeless households.

3 Key Issues

- 3.1 The Council has a statutory duty to provide suitable temporary accommodation to eligible households. The support needs of households accessing the housing options service mean it is increasingly challenging to both source and sustain temporary accommodation – with households staying in placements for longer and requiring higher levels of support. The Council relies on private nightly let and bed and breakfast accommodation which is costly to the local authority and in some instances may not be sustainable for vulnerable households.
- 3.2 An independent review of temporary accommodation outlined that council-owned temporary accommodation was the most cost-efficient model. The Council have been successful in obtaining grant funding to part fund the purchase of additional units through the LAHF 4 programme.
- 3.3 Owning temporary accommodation will require property management, including repairs, maintenance and compliance, alongside rent collection, neighbourhood management and floating support for residents. A temporary accommodation policy is being drafted and a paper on the management of temporary accommodation, including rents and service charges, will be brought to Cabinet for a decision once we have further details of the properties we are looking to purchase.

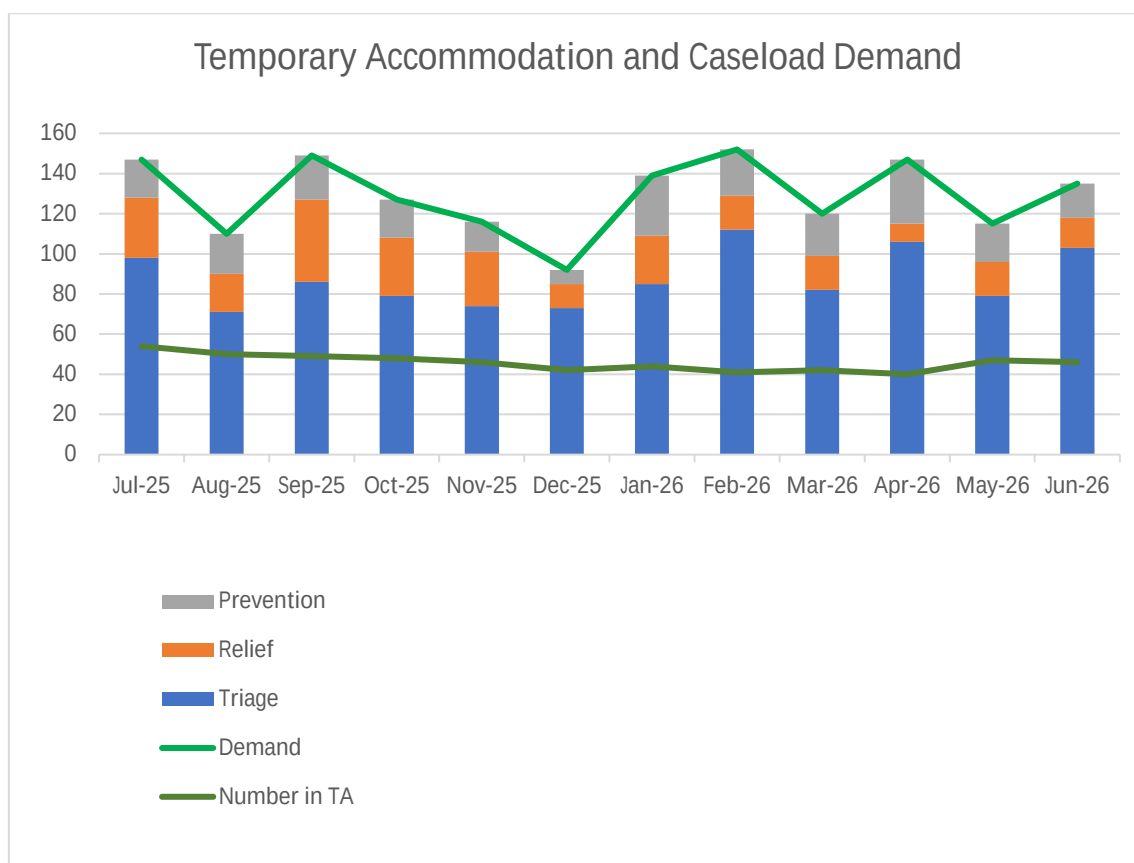
4 Relationship to Corporate Priorities

- 4.1 Cannock Chase District Council has a statutory duty to provide services to those experiencing homelessness which contributes to Corporate Priority 2 Health and Wellbeing *‘To encourage and support residents to lead healthy and independent lives.’*

5 Report Detail

Background

- 5.1 The Council have a statutory duty to provide temporary accommodation to eligible households who are homeless. Whilst the number of homeless duties accepted remains relatively stable, the support needs of those accessing the service have increased, with 50% of households presenting with at least one support need. This has resulted in both an increase in demand for temporary accommodation, and longer placements.
- 5.2 Cannock Chase District Council currently has a service level agreement for one unit of temporary accommodation from council housing stock. Outside of this unit, the Council uses private nightly let accommodation and bed and breakfast which is getting more difficult to source due to competing demands and low tolerance levels for households with support needs. Commercial hotel chains often have quota limits on the number of local authority placements they will accept at any given time, and we are reliant on local relationships to continue such placements.
- 5.3 The focus for Housing Options is always to prevent households from needing temporary accommodation. However, wider pressures on public services means households are presenting at crisis point, in need of temporary accommodation.



- 5.4 Since January 2026, we have had on average 41 households placed in temporary accommodation at the end of each month which demonstrates a requirement for additional temporary accommodation units.
- 5.5 Whilst the majority of our demand is from single homeless applicants, we have seen families accessing the service who are finding it more difficult to access long-term housing. Local authorities can only use bed and breakfast accommodation to house families for a maximum of six weeks. The new Local Authority Outcome Framework places additional oversight and governance on households in temporary accommodation, particularly families being placed for more than six weeks. Chief Executives will receive notification of every family placed in bed and breakfast for more than six weeks. Local authorities with more than five households exceeding six weeks in Bed and Breakfast will be mandated to develop a Bed and Breakfast Elimination Plan.
- 5.6 A previous review of temporary accommodation outlined that the most cost-efficient model to expand temporary accommodation would be for the Council to own and manage their own stock. Since this review, the Council has been successful in obtaining grant funding to purchase three units of accommodation through the LAHF 4 programme.
- 5.7 Whilst this has been a positive step forward to start the supply of council owned temporary accommodation, there is an ambition to increase the number of properties owned to meet demand from Housing Options.

Local Authority Housing Fund – Permission to Spend

- 5.8 In December 2025, Cannock Chase District Council submitted a bid for the Local Authority Housing Fund Round 4 (LAHF 4) for fixed capital and revenue funding to provide temporary accommodation alongside a minimum of one unit of housing for families under the Afghan Resettlement Programme (ARP). ARP offers a safe and legal route to relocation for individuals who supported UK efforts or are vulnerable, granting them indefinite leave to remain with full access to public funds. Families will be settled into the accommodation and, should they come to move on, the property will revert to temporary accommodation for our homeless duties.
- 5.9 Cannock Chase District Council has received a capital allocation of £325,200 to deliver two units of temporary accommodation and one unit for resettlement housing in 2026-2027. The grant comprises of £87,400 per property (based on 40% of median property price in Cannock Chase) and £21,000 per property to account for other costs, for example refurbishment and conveyancing costs.
- 5.10 We are requesting permission to spend the above funding and additional funds for the purchase (and any associated refurbishment costs) of three properties in pursuance of the LAHF 4 funding. Recent market research has indicated that the average cost of two- and three-bedroom properties, including estimated renovation costs, in Cannock Chase is £235,000.
- 5.11 We are requesting capital funding of an additional £126,600 per property to cover the purchase, refurbishment and other costs associated with the purchasing of each property. Any unspent allocation will be returned to the general fund.
- 5.12 A temporary accommodation policy is being drafted and a paper on the management of temporary accommodation, including rents and service charges, will be brought to Cabinet for a decision once we have further details of the properties we are looking to purchase.

6 Implications

6.1 Financial

The Council has received a capital grant of £325,200 from the Local Authority Housing Fund for the purchase of three homes to support temporary accommodation. As set out in paragraph 5.10 in order to purchase the properties the Council will be required to provide additional funding from its own resources. The report to Council in February 2026 stated unallocated capital resources were £1.210 million. It is proposed that the additional cost of £379,800 is funded from the unallocated capital resources

6.2 Legal

The Council has a statutory duty to provide temporary accommodation to homeless persons under Part 7 Housing Act 1996. Its legal powers to do so are found under s.9 Housing Act 1985 which permits the Council to provide housing accommodation and s. 120 (1) Local Government Act 1972 which confers powers to purchase land for the Council to undertake its statutory duties. There is also a general power of competence under s.1 of the Localism Act 2011 which means the Council can generally do what an individual can do, acting reasonably.

In accepting the funding under LAHF 4, the Council must adhere to the terms of a Memorandum of Understanding between the Council and the Ministry for Housing, Local Government and Communities ('MHLGC'). These have been considered by legal officers and are not duly onerous and as would be expected to see as standard from MHLGC.

The properties will be purchased under the Financial Procedure Rules in respect of levels of valuations (but not the procurement regime as the purchase of land and buildings are exempt) but any associated works will be procured in accordance the Contract Procedure Rules as any such works are subject to the procurement regime.

Legal Officers will ensure a robust and thorough conveyancing process is followed.

6.3 Human Resources

None

6.4 Risk Management

If we do not take steps to expand our stock of temporary accommodation, we risk not being able to fulfil our statutory function under homeless legislation to provide suitable accommodation to eligible households. The alternative is costly bed and breakfast placements which are increasingly difficult to source and may not be sustainable for vulnerable households, including families.

All properties will be registered under the Council's insurance provision. All properties will need to be maintained, ensuring compliance with relevant regulations for social housing. Existing property management arrangements and specialist knowledge within asset management will support the above.

6.5 Equalities and Diversity

Anyone can become homeless and the service has a duty to provide temporary accommodation for anyone who is eligible. Understanding the demographics of those who come through the service enables us to tailor provision to those characteristics. There is need for more accessible temporary accommodation for those with disabilities, older households and those with very young children, this will be one considering factor in choosing suitable properties. Although units of all sizes are required there is a specific need for larger family accommodation. Accommodation needs to be self-contained, in particular for those fleeing domestic abuse and for those with mental health challenges. Properties should be located near to public transport to enable residents to access employment and services.

6.6 Health

Health and housing are intrinsically linked, and the provision of suitable temporary accommodation has a direct impact on a household's overall health and wellbeing, both in terms of households facing homelessness and those who are rough sleeping. Suitable temporary accommodation that is local to existing support networks, including health and social care providers, alongside family and friends, will have a positive impact on the overall health and wellbeing of the household.

6.7 Climate Change

Properties are being refurbished to a standard that promotes energy efficiency, in line with budgetary requirements.

7 Appendices

None

8 Previous Consideration

None

9 Background Papers

None.

Contact Officer: Hayley Smith

Telephone Number: 07800 729345

Report Track: Cabinet: 20/08/26, 15/09/26

Key Decision: No

Permission to Spend Local Authority Housing Fund 4; Supplementary Report

Committee:	Cabinet
Date of Meeting:	15 September 2026
Report of:	Head of Wellbeing
Portfolio:	Community Safety and Wellbeing

1 Purpose of Report

- 1.1 To provide additional detail for the revenue costs associated with purchasing temporary accommodation units, in pursuance of the Local Authority Housing Fund 4 (LAHF 4).
- 1.2 To set out for approval the Temporary Accommodation Policy.

2 Recommendations

- 2.1 To note the content of this report.
- 2.2 To approve the Temporary Accommodation Policy.

Reasons for Recommendations

- 2.3 Increase in demand for temporary accommodation has resulted in use of bed and breakfast which is costly to the local authority and not a sustainable option. Families should only be placed in bed and breakfast as a last resort and for a maximum of 6 weeks. Bed and breakfast accommodation is detrimental to childrens' development, health and wellbeing.
- 2.4 LAHF 4 funding enables the Council to use government grant to purchase two units of temporary accommodation. Council owned temporary accommodation is the most cost-effective model for temporary accommodation, costing less than existing provision such as bed and breakfast or nightly private lets.
- 2.5 If we do not take steps to expand our stock of temporary accommodation, we risk not being able to fulfil our statutory duties to eligible homeless households.

3 Key Issues

- 3.1 The Council has a statutory duty to provide suitable temporary accommodation to eligible households. An independent review of temporary accommodation outlined that council-owned temporary accommodation was the most cost-efficient model. Council owned temporary accommodation enables us to purchase and maintain good quality properties that meets that needs of local people.
- 3.2 The Council will recover both rents and administration charges for the properties and receive full subsidy recovery on any Housing Benefit payable, costing less than existing options such as bed and breakfast.

4 Relationship to Corporate Priorities

- 4.1 Cannock Chase District Council has a statutory duty to provide services to those experiencing homelessness which contributes to Corporate Priority 2 Health and Wellbeing *‘To encourage and support residents to lead healthy and independent lives.’*

5 Report Detail

- 5.1 Cannock Chase District Council has an increase in demand on temporary accommodation for vulnerable households. There is limited supply of suitable temporary accommodation within the District and reliance on bed and breakfast for urgent placements. It is unlawful for the Council to place families in bed and breakfast exceeding six weeks and alternative provision is required to enable the Council to fulfil its statutory homeless duties.
- 5.2 A review of temporary accommodation concluded that council-owned properties is the most cost-effective model for temporary accommodation. It recommended that the Council purchase and maintain suitable properties to meet the need of local people. The Council will recover both rents and maintenance/ service charges for the properties and receive full subsidy recovery on any Housing Benefit payable.
- 5.3 In respect of Housing Benefit subsidy, as with the bed and breakfast, the Council will ensure that all applicants complete a form to recover as much cost as possible. Whilst Housing Benefit is recovered on bed and breakfast due to the amounts payable these do not attract full subsidy income to the Council as part of the DWP housing benefit payment income. By setting the rents at the Local Housing Allowance this means that the Council owned properties will be reimbursed at full subsidy.
- 5.4 The properties should be administered at close to nil net cost to the Council as per the table of indicative costings below:

Three-Bedroom Council Owned Property	
Capital Funding Per Property (CCDC cost not covered by grant)	£126,600
Annual Interest	NA
Council Tax (cost inc void %)	£185.00
Utilities (for void)	£2,000.00
Maintenance inc cleaning	£4,600.00
Annual Property Cost	£6,785.00
Weekly Property Cost (Annual Property cost divided by 52 weeks)	£130.48
Weekly Rent (LHA for 3 bedroom property)	£170.30
Property Administration Charge that we recover (annual)	£1,040.00
Administration Charge	£20.00
Occupancy Rate	90%
Net income per week rent and service charge – 90% Occupancy (at 52 weeks)	£171.27

Three-Bedroom Council Owned Property	
Annual Recovered Costs -Annual Rent and Administration Charge (90% occupancy for 52 weeks)	£8,906.04
Net Cost Per Week (£130.48 - £171.27)	-£40.79
Bed and Breakfast Cost Per Week (average based on payments April 2026)	£471.80

- 5.5 Costs are indicative as the properties have not yet been purchased. The above demonstrates that the costs of managing our own temporary accommodation are an income of £40.49 per week, compared to a cost of £471.80 per week for an alternative bed and breakfast placements. For example, an eight week placement for a family in bed and breakfast would cost £3,774.40 compared to nil net cost in council-owned accommodation. Families in bed and breakfast are often reliant on crisis funds due to the higher costs of living associated which would have wider impact on the public purse.
- 5.6 Properties that are purchased will be subject to relevant surveys and due diligence. Properties that require high levels of ongoing maintenance would not be suitable for temporary accommodation.
- 5.7 If we do not purchase temporary accommodation, we risk not being able to fulfil our statutory function to provide emergency accommodation for homeless households. Alternative accommodation, such as bed and breakfast is not always suitable particularly for vulnerable households. It is unlawful for the Council to place homeless families in bed and breakfast exceeding six weeks and there are limited alternative options within Cannock District.

Management of Temporary Accommodation

- 5.8 The Temporary Accommodation Policy (Appendix 1) outlines how temporary accommodation will be managed, including placement types, service charges and administration costs.
- 5.9 The Housing Act 1996 places a statutory duty on Local Authorities to provide temporary accommodation for eligible households. The Council has the right under the same Act to make a reasonable charge for the accommodation.
- 5.10 Households placed in temporary accommodation are responsible for the payment of rent and service/administration charges. Rent and other eligible costs may be met through Housing Benefit.
- 5.11 Administration charges contribute to the costs associated with procuring, arranging, monitoring and administering temporary accommodation placements. For self-contained accommodation, this will include the cost of furnishings, repairs resulting from fair wear and tear and end-of-placement cleaning costs.
- 5.12 For self-contained accommodation, there may also be a service charge that covers costs such as communal heating, lighting and grounds maintenance which will vary depending on the property type. Houses are less likely to require a service charge.

- 5.13 Administration and service charges are often ineligible for Housing Benefit. Households must be able to afford the costs associated with temporary accommodation for the offer to be considered suitable in accordance with homeless legislation.
- 5.14 The administration charge of £20.00 per week is considered affordable for the majority of household circumstances. Where households have insufficient funds to move into temporary accommodation, the Council will consider alternative options, provide advice on maximising income and financial resilience and consider assisting the household financially to access the accommodation where it is reasonable and proportionate to do so.

6 Implications

6.1 Financial

The report sets out in paragraph 5.3 indicative costs and rental income for the council owned properties (subject to final properties purchased). These have been based on similar schemes undertaken. This demonstrates that the cost of the council owned property would be significantly lower than the cost to the authority of placing in bed and breakfast. The average cost of the bed and breakfast is based on actual rates paid in April 2026, however the cost of rooms is dependent on demand and can be higher than the quoted figures.

6.2 Legal

The Council has a statutory duty to provide temporary accommodation to homeless persons under Part 7 Housing Act 1996. Its legal powers to do so are found under s.9 Housing Act 1985 which permits the Council to provide housing accommodation and s. 120 (1) Local Government Act 1972 which confers powers to purchase land for the Council to undertake its statutory duties. There is also a general power of competence under s.1 of the Localism Act 2011 which means the Council can generally do what an individual can do, acting reasonably.

Furthermore, s. 206 (2) of the Housing Act permits a Local Authority to make a reasonable charge to homeless households as a contribution towards temporary or interim accommodation costs. An administration fee or a service charge cost is permissible and is separate from housing benefit considerations. It is widely charged by many Local Authorities and will be proportionate, transparent and consistent.

In accepting the funding under LAHF 4, the Council must adhere to the terms of a Memorandum of Understanding between the Council and the Ministry for Housing, Local Government and Communities ('MHLGC'). These have been considered by legal officers and are not duly onerous and as would be expected to see as standard from MHLGC.

The properties will be purchased under the Financial Procedure Rules in respect of levels of valuations (but not the procurement regime as the purchase of land and buildings are exempt) but any associated works will be procured in accordance the Contract Procedure Rules as any such works are subject to the procurement regime.

Legal Officers will ensure a robust and thorough conveyancing process is followed.

6.3 Human Resources

None.

6.4 Risk Management

If we do not take steps to expand our stock of temporary accommodation, we risk not being able to fulfil our statutory function under homeless legislation to provide suitable accommodation to eligible households. The alternative is costly bed and breakfast placements which are increasingly difficult to source and may not be sustainable for vulnerable households, including families.

All properties will be registered under the Council's insurance provision. All properties will need to be maintained, ensuring compliance with relevant regulations for social housing. Existing property management arrangements and specialist knowledge within asset management will support the above.

6.5 Equalities and Diversity

Anyone can become homeless and the service has a duty to provide temporary accommodation for anyone who is eligible. Understanding the demographics of those who come through the service enables us to tailor provision to those characteristics.

There is need for more accessible temporary accommodation for those with disabilities, older households and those with very young children, this will be one considering factor in choosing suitable properties.

Although units of all sizes are required there is a specific need for larger family accommodation. Accommodation needs to be self contained, in particular for those fleeing domestic abuse and for those with mental health challenges. Properties should be located near to public transport to enable residents to access employment and services.

6.6 Health

Health and housing are intrinsically linked and the provision of suitable temporary accommodation has a direct impact on a household's overall health and wellbeing, both in terms of households facing homelessness and those who are rough sleeping.

Suitable temporary accommodation that is local to existing support networks, including health and social care providers, alongside family and friends, will have a positive impact on the overall health and wellbeing of the household.

6.7 Climate Change

Properties are being refurbished to a standard that promotes energy efficiency, in line with budgetary requirements.

7 Appendices

Appendix 1: Temporary Accommodation Policy

8 Previous Consideration

None.

9 Background Papers

None.

Contact Officer: Hayley Smith

Telephone Number: 07800 729345

Ward Interest: NA

Report Track: Cabinet 15/09/26

Key Decision: No

Cannock Chase District Council

Temporary Accommodation Policy and Procedure

Directorate	Health and Housing
Service Area	Housing Options
Policy Owner / Responsible Officer	Strategic Housing and Homelessness Service Manager / Senior Housing Options Officer
Dated:	
Review Date:	
Approved By:	

1. Definitions

For the purposes of this policy, the following definitions apply:

Temporary Accommodation (TA): Accommodation secured by the Council to meet its duties under Part VII of the Housing Act 1996 on an interim or temporary basis until settled housing is secured.

Interim Accommodation (Section 188): Accommodation provided where the Council has reason to believe an applicant may be homeless, eligible and in priority need, pending further inquiries.

Main Housing Duty (Section 193): The duty of the Council to secure suitable accommodation for applicants who are homeless, eligible, in priority need and who are not intentionally homeless.

Bed and Breakfast (B&B): Accommodation which is not self-contained and where cooking facilities are not for the exclusive use of the household.

Self-Contained Accommodation: Accommodation where the household has exclusive use of the kitchen and bathroom facilities.

Nightly Paid Accommodation: Accommodation secured on a nightly basis from private providers, used where limited alternatives are available.

Applicant: A person applying to the Council for housing assistance under Part VII of the Housing Act 1996.

Household: The applicant and those expected to reside with them.

Dependent Children: Persons under 18, or up to 19 if in full time education who form part of the household.

Vulnerable: A person at increased risk due to age, disability, health or other factors in line with statutory guidance.

Suitable/Suitability: Accommodation suitable for the household's needs in accordance with Section 210 Housing Act 1996 and related legislation.

Out-of-Area Placement: Temporary accommodation provided outside of the Stafford Borough perimeter.

Exceptional Circumstances: Circumstances where normal policy provision may be changed due to urgency, risk or lack of supply.

Senior Officer: Senior Housing Options Officer or Strategic Housing and Homelessness Service Manager authorised to approve decisions under this policy.

Accommodation Charges: Charges for temporary accommodation, including rent and applicable service charges.

Service Charges: Charges for services provided within the accommodation such as utility and management charges.

Affordability: Assessment of whether costs are reasonable based on income, expenditure and ability to meet other essential living costs.

Local Housing Allowance (LHA): The applicable Housing Benefit rate based on the local market rents.

Licence Agreement: The agreement provided by the Council that permits a household to occupy temporary accommodation.

Reasonable Notice: Notice that is proportionate, considering the household circumstances and legal duty owed.

2. Introduction

Cannock Chase District Council ('the Council') is committed to keeping households in their homes and preventing homelessness wherever possible. Where this cannot be achieved, the Council will meet its statutory duties to secure suitable interim and temporary accommodation for homeless households in accordance with Part VII of the Housing Act 1996 (as amended).

The Council recognises that temporary accommodation (TA) can have a significant impact on households, particularly families with children and vulnerable individuals. It also recognises that there is a significant financial cost to the Council and therefore this document sets out how the Council will ensure that temporary accommodation is used lawfully, consistently and proportionately and only for as long as is necessary.

3. Purpose

The purpose of this Policy is to:

- Set out the Council's policy position on the use of temporary accommodation;
- Describe the procedures for allocating, managing and reviewing temporary accommodation placements, costs, appropriate service charges; and
- Ensure decisions are consistent, transparent and legally compliant.

4. Scope

This Policy applies to all households housed temporarily by the Council under Part VII of the Housing Act 1996 (as amended), including accommodation provided under sections 188, 190 and 193. It also applies to households who might be provided accommodation on a discretionary basis, such as;

- Households provided accommodation pending the outcome of a review under section 202;
- Households that are not owed a statutory duty, but Council considers it appropriate to accommodate to prevent rough sleeping or safeguard vulnerable individuals.
- Accommodation provided using the Council's general discretionary powers, including the General Power of Competence under the Localism Act 2011.

5. Legislative Framework

This Policy has regard to:

- Housing Act 1996 (as amended)
- Homelessness Act 2002
- Homelessness Reduction Act 2017
- Homelessness (Suitability of Accommodation) (England) Order 2012
- Homelessness Code of Guidance for Local Authorities (MHCLG)
- Equality Act 2010
- Children Act 2004 (section 11)

6. Policy Principles

The following principles underpin the Council's approach to the use and management of temporary accommodation. The Council will:

- Use temporary accommodation only where homelessness cannot be prevented or relieved immediately; for example, via negotiations with landlords or excluders which will be attempted in all cases, where it is appropriate to do so;
- Minimise the use of Bed and Breakfast (B&B) accommodation;
- Avoid the use of B&B for families and pregnant applicants except where no other options are available;
- Aim to provide temporary accommodation within Cannock Chase District, where it is safe and possible to do so;
- Act proportionately and reasonably in all decisions;
- Have due regard to safeguarding, welfare and Equality Act duties.

7. Types of Temporary Accommodation

The Council currently uses several types of temporary accommodation as outlined below:

- Self-contained nightly rate accommodation.
- Bed and Breakfast accommodation.
- Council-owned temporary accommodation.

The self-contained and council-owned properties will be prioritised for families with dependent children, pregnant applicants or applicants who have medical and support needs.

All temporary accommodation units are subject to periodic inspection by the Council to ensure compliance with health and safety standards.

8. Use of Bed and Breakfast Accommodation

Bed and Breakfast accommodation will be used only as a last resort and the Council aims to minimise its use where possible.

B&B accommodation may be used where:

- There is reason to believe the household may be homeless, eligible and in priority need and;
- No suitable alternative accommodation is available at the time.
- The placement is for the shortest possible period.

Households with dependent children or pregnant applicants will not normally be accommodated in B&B accommodation for longer than six weeks, except in exceptional circumstances. Any decision to exceed the six-week limit must be authorised by a Senior Officer.

Use of B&B outside of hours is permitted for overnight emergency use as there is often no alternative. Those placed out of hours will be required to attend the office/contact the team the next working day for a more detailed assessment to consider any further duties out and to explore alternative accommodation options.

9. Suitability of Temporary Accommodation

All temporary accommodation must be suitable in accordance with section 210 of the Housing Act 1996 and the Homelessness (Suitability of Accommodation) (England) Order 2012.

Officers will consider the following when determining suitability:

- Location
- Impact on employment, education and caring responsibilities.
- Affordability

- Medical conditions, disabilities and support needs
- Risk of violence including harassment and domestic abuse.
- Access to transport, school, healthcare and other services.
- The physical condition and safety of the property.

Suitability will be considered at the point of placement, kept under regular review and recorded on internal management systems.

Where the applicant is accommodated under S188 (interim accommodation) there is no statutory right to request a suitability review under S202 Housing Act 1996; however, the Council will nevertheless consider representations made regarding suitability concerns.

For households placed under S193 (Main Housing Duty), a higher threshold of suitability applies and applicants will be informed of their right to request a review of the accommodation's suitability under S202 of the Housing Act 1996.

10. Out of Area Placements

The Council will seek to accommodate households within the District where it is possible to do so. Placements outside of the District will only be considered where no suitable accommodation is available locally, or where there are significant risks to the household if placed locally.

Before making an out of area placement, the following will be considered.

- i. The suitability of the accommodation in accordance with Section 210 of Housing Act 1996;
- ii. The distance from the household's normal place of residence;
- iii. The impact on employment, education, caring responsibilities and access to any support networks; and
- iv. Any medical, disability or safeguarding considerations, including risks of violence or domestic abuse.

Any decision to place a household out of area will be authorised by a Senior Officer.

Where a household is placed outside of the Borough, the Council will comply with the requirements of S208 of the Housing Act 1996 to notify the receiving Local Authority of the placement as soon as possible. All out of area placements will be kept under review with the aim to move households back into the Borough at the earliest reasonable opportunity, where it is safe and possible to do so.

11. Placement Procedure

Before placing a household in temporary accommodation, Officers will:

- Determine under what duty the applicant is owed temporary accommodation.
- Identify and secure suitable accommodation for the household.

- Keep the suitability of this accommodation under review.
- Complete a detailed assessment of the applicant's circumstances and develop a move on plan to exit them out of TA at the earliest opportunity.

12. Support for Households

All households placed in temporary accommodation will receive appropriate support, including a support needs assessment as part of their Personal Housing Plan, regular contact from their allocated Officer and assistance with finding settled accommodation.

Support will include advice on housing options, budgeting and benefits; referrals to specialist support services and liaison with partner agencies.

Whilst the Council recognises that living costs can be higher whilst living in temporary accommodation, it has a duty to provide emergency accommodation only. This does not include utilities, food, clothing or household items such as cutlery or linen. Housing Options will support households by signposting and referring to local services, where available.

13. Accommodation Charges and Affordability

Rental Charges

Households placed in temporary accommodation are responsible for the payment of the charges unless they are met by the provision of Housing Benefit (HB). Where a household is eligible for Housing Benefit, it is the responsibility of the named applicant to make a claim as soon as possible after the placement. Housing Options can assist applicants in making a claim. If eligible, Housing Benefit will cover the accommodation cost element up to the threshold of the government subsidy and will usually be paid directly to the Council, with the consent of the applicant.

Applicants remain responsible for maintaining the claim and providing the relevant proof to establish their eligibility for the benefit. Where the applicant has not provided documents to support their claim, or incorrect information has been provided or withheld, the Council reserves the right to charge the household for the accommodation costs directly.

Applicants who are not entitled to any Housing Benefit due to their income, employment status or financial circumstances will be required to make a contribution to the rental charge following an affordability assessment. It is expected that this will be up to the level that would have been covered had they been entitled to Housing Benefit. This is intended to ensure that temporary accommodation remains affordable and accessible for working households, whilst enabling the Council to recover a reasonable contribution towards accommodation costs.

Service/Administration Charges

The Housing Act 1996 places a statutory duty on Local Authorities to provide temporary accommodation for eligible households. The Council has the right under the same Act to make a reasonable charge for the accommodation.

Therefore, in addition to rental charges and for those placed in nightly paid/B&B type accommodation, the Council will charge households an administrative fee of £20.00 per

week. This charge contributes towards the costs associated with procuring, arranging, monitoring and administering this type of temporary accommodation placements.

For those placed in leased self-contained accommodation households will be responsible for their own utility bills such as gas, electric and water payments. Such payments are separate to the temporary accommodation rent account and should be paid directly to the utility supplier.

Self-contained accommodation will also include a service charge that covers costs such as communal heating, lighting and grounds maintenance which will vary depending on which property they are placed in. In addition, an administration charge of £20.00 per week will be levied to cover the provision and replacement of furnishings, repairs resulting from fair wear and tear, and end-of-placement cleaning costs.

All households will be made aware of these charges at the beginning of a temporary accommodation placement. Charges will be invoiced weekly in arrears and households will be informed in advance of:

- The amount payable
- How and when payments must be made and;
- The consequences of non-payment.

Affordability

Affordability forms part of the overall assessment of suitability. Before confirming a placement, the Council will consider the households financial circumstances including their income, essential expenditure and access to funds at the time to assess affordability.

Where households haven't got sufficient funds in advance of moving into TA, The Council will;

- Consider whether alternative options are available.
- Provide advice on maximising income or accessing emergency funds e.g. via an advanced payment via Universal Credit.
- Consider assisting the household financially to access the accommodation e.g. via providing a train ticket or alternative transport.

The Council will act proportionately and reasonably in all decisions relating to accommodation charges and will try to prevent the accrual of unmanageable arrears as we recognise this could become a barrier to moving the household on. This may include referrals to specialist debt/budgeting advice where issues of affordability are raised.

14. Storage of Belongings

Under Section 211 of the Housing Act 1996, the Council may have a duty to take reasonable steps to protect the personal property of an applicant where there is a risk of loss or damage and the applicant is unable to make suitable alternative arrangements.

Reasonable steps may include transporting belongings to a suitable location and arranging temporary storage. Personal property will generally include essential clothing, personal effects, important documents, children's equipment and other items that a reasonable person would expect to retain access to during a period of temporary accommodation.

The Council will undertake an affordability assessment to determine whether a household can reasonably be expected to arrange and fund storage independently. Where the Council arranges storage on behalf of a household, the household will normally be responsible for the storage costs. The Council may, in exceptional circumstances and following an affordability assessment, provide temporary financial assistance with these costs where it is satisfied that the household is unable to meet them.

Due to the size and nature of most temporary accommodation placements, it is not usually possible for households to bring furniture with them.

The Council will seek to ensure that temporary accommodation meets any essential health-related requirements, including facilities necessary for the safe storage of medication where appropriate.

Where the Council incurs costs in transporting, storing or disposing of property, it reserves the right to recover reasonable costs from the household.

Once a household has secured alternative accommodation, it will be expected to collect any stored belongings within a reasonable period or assume responsibility for any ongoing storage costs.

Where the Council is unable to contact the owner of stored belongings, the items will be retained for 28 days. Reasonable attempts will be made to contact the owner using the last known contact details. If no contact is received and no arrangements are made within that period, the Council reserves the right to dispose of the property. Any costs incurred in doing so may be recharged to the household.

15. Households with Pets

Pets are not normally considered members of the household for the purposes of homelessness assessments or the provision of temporary accommodation. As a result, the Council is generally under no legal duty to secure accommodation for pets.

Households with pets will be encouraged, as part of their assessment, to make alternative care arrangements where possible. The Council will provide advice and signposting to local pet welfare, fostering or boarding services where available.

Where a household has an assistance animal, such as a guide dog, the Council will take this into account when securing temporary accommodation. A support animal is specifically trained to perform practical tasks that directly help a person with a long-term or substantial disability. Applicants may be asked to provide appropriate evidence that the animal is required because of a disability. The Council will seek, wherever reasonably practicable, to secure accommodation that allows the assistance animal to remain with the household.

16. Conduct and Management

All households living in temporary accommodation are required to comply with the terms of their licence agreement and to conduct themselves in a manner that does not adversely affect the property, local community, the Council's officers and reputation.

Households living in temporary accommodation are expected to:

- Occupy the accommodation as their main and principal home.
- Pay all accommodation and services charges when due.
- Maintain the accommodation in a reasonable condition.
- Respect neighbours, accommodation proprietors and Council staff.

Breaches of licence conditions include but are not limited to:

- Anti-social behaviour, such as noise nuisance and threatening or abusive behaviour to staff or accommodation proprietors.
- Smoking or using alcohol or drugs on site.
- Non or late payment of rent/service charges.
- Causing intentional damage to the property or neglect resulting in damage to the property.
- Not staying at the property as their main and principal home.
- Having unpermitted overnight guests at the property.
- Having an unpermitted pet stay at the accommodation.

The Council will take a proportionate and staged approach to managing breaches wherever possible which may include:

- Early engagement to identify underlying issues, including routine contact and home visits.
- Consideration of vulnerability, safeguarding and support needs.
- Referrals to appropriate support services or developing a multi-agency approach.
- Agreement of repayment plans where arrears have accrued.

Where appropriate, the following escalations may apply:

1. Verbal warning
2. Written warning
3. Final written warning.

The Council also reserves the right to escalate outside of this staged approach, immediately where there is a serious risk to safety, there is significant damage to the property or criminal behaviour occurring at the property. All actions will be recorded on internal management systems and be agreed by a Senior Officer.

Applicants who have lost temporary accommodatio

17. Damage, Repair and Recharges

Households placed in temporary accommodation are expected to take reasonable care of the accommodation, its fixtures, fittings, furniture and equipment throughout their stay.

The Council recognises that some deterioration will occur through normal use of a property and will not seek to recover costs associated with fair wear and tear. However, households may be recharged for any costs incurred by the Council because of damage, neglect, misuse or unauthorised alterations to the accommodation or its contents.

Examples of situations where a recharge may be applied include, but are not limited to:

- Deliberate or accidental damage to the property, furnishings, fixtures or fittings.
- Damage caused by household members, visitors or pets.
- Missing, damaged or destroyed furniture, bedding, appliances, keys or other items provided by the Council.
- Costs associated with clearing excessive rubbish, abandoned belongings or personal possessions left behind after the placement ends.
- Additional cleaning costs where the accommodation is left in an unacceptable condition requiring specialist or deep cleaning.
- Costs arising from smoking within accommodation where smoking is prohibited.
- Repairs resulting from neglect, misuse or failure to report maintenance issues in a timely manner.
- Lock changes resulting from lost, damaged or unreturned keys.
- Pest treatment where an infestation is considered to have resulted from the actions or omissions of the household.

Where damage or other rechargeable costs are identified, the Council will investigate the circumstances and provide the household with details of the costs incurred.

Any recharge will reflect the reasonable cost incurred by the Council and evidence may be provided upon request. The Council reserves the right to recover outstanding recharges through invoicing, payment arrangements or any other lawful means available to it.

18. Ending Temporary Accommodation

The Council may end temporary accommodation where it is lawful and reasonable to do so, including where the homelessness duty ends, a suitable offer of accommodation is refused, or there are serious or continual breaches of licence conditions in line with the above.

Considerations Before Ending Accommodation

Before ending a temporary placement the Council will consider:

- The legal duty currently owed to the household.
- The severity and frequency of any breaches.
- Whether the behaviour is linked to support, medical or vulnerability issues and if so try to put in place relevant support.
- The impact on children and vulnerable adults.
- Whether reasonable steps have been taken to resolve the issue.
- The risk of rough sleeping or harm.
- The Council's Equality Act and Safeguarding Duties.

The Council's decision to end accommodation will be clearly justified, recorded and approved by a Senior Officer.

Notice Periods and Legal Position

The amount of notice provided to households will vary depending on the legal duty owed and the type of occupation. Such as:

- **Section 188 (Interim Duty):** Accommodation may be ended by giving reasonable notice, considering the circumstances of the household and urgency of the situation.
- **Section 193 (Main Housing Duty):** Applicants will have additional protection from eviction and the Council will be required to provide appropriate written notice (28 days) and seek possession through the courts if required.
- **Discretionary Placements:** Will generally be ended on reasonable notice unless urgent.

In cases involving serious risk (e.g. violence, damage or safeguarding concerns) shorter or immediate notice may be provided.

Consequences of Ending Accommodation

Where temporary accommodation is ended due to breach of licence conditions or non-compliance, the Council will consider the wider implications for the households case and may include:

- A decision that no further interim accommodation will be provided under Section 188.
- The discharge of the relief or main housing duty where a suitable offer has been accepted or refused.
- The discharge of the main housing duty where the behaviour of the applicant renders them intentionally homeless from temporary accommodation provided to them under that duty.

Any decision to end additional duties to the applicant will be assessed on the individual merits of the case to ensure the decision is legally robust, proportionate and clearly recorded with reasons. The Council will also ensure; that relevant agencies are notified where appropriate (such as Police, Children's Services, Adult Social Care), safeguarding issues are promptly addressed and the household is advised clearly of their rights and any available support.

18. Equality and Safeguarding

The Council will have due regard to its duties under the Equality Act 2010, explicitly the Public Sector Equality Duty and to safeguarding responsibilities under the Children Act 2004 and relevant adult safeguarding legislation.

In applying this policy, the Council will seek to ensure that decisions relating to the placement, management and ending of temporary accommodation are fair, proportionate, reasonable, lawful and do not unlawfully disadvantage individuals with protected characteristics.

Where a household includes a person with a disability or other protected characteristic the Council will consider reasonable adjustments in relation to:

- The suitability and type of accommodation provided.
- The management of the placement, including communication and engagement.
- The application of enforcement processes.

Reasonable adjustments will be proportionate and based on the individual circumstances and always be recorded on internal management systems.

An Equalities Impact Assessment will be undertaken where required including when:

- This policy is introduced or materially amended, to make sure the policy does not disadvantage certain groups.
- Where significant enforcement action is being considered and equality impacts are identified, to check if anything can reasonable be done to reduce harm, such as referrals to other agencies.

The assessment will inform the Council's decision making and identify any mitigations but does not prevent the Council from taking lawful enforcement action where it is appropriate.

Safeguarding

The Council recognises that households in temporary accommodation may include children or vulnerable adults and will consider safeguarding at the point of placement and throughout the stay. The Council will also act in accordance with its local safeguarding policy and make referrals to relevant agencies where concerns arise.

Safeguarding considerations will form part of decisions relating to suitability, conduct and the ending of accommodation.

19. Complaints and Reviews

Applicants who are dissatisfied with any aspect of the temporary accommodation service may make a complaint through the Council's Corporate Complaints Procedure.

This does not affect any statutory rights of review available under Part VII Housing Act 1996.

20. Monitoring and Review

The use of temporary accommodation will be closely monitored to ensure placements remain suitable, affordable and are used for the shortest period possible.

This will include:

- Weekly team meetings chaired by Senior Officers to review all households placed in temporary accommodation and ensure that each household has an active move on plan. These meetings will also monitor families staying in hotel or bed and breakfast accommodation to ensure that placements do not exceed six weeks, except where unavoidable.
- Monthly meetings between Senior Officers and the Strategic Housing and Homelessness Service Manager to review complex and high risk cases, identify barriers to move on and consider appropriate solutions.
- Quarterly monitoring of H-CLIC returns and performance data to assess trends, benchmark performance against previous quarters and compare outcomes with statistical nearest neighbours and other Staffordshire authorities.

In addition, the following key performance indicators will be regularly reviewed to assess the effectiveness of the Council's temporary accommodation service:

- The number of households in temporary accommodation.
- The number of households placed in hotel or bed and breakfast accommodation.
- The number of families placed in hotel or bed and breakfast accommodation for longer than six weeks.
- The number of out of area placements.
- Average length of stay in temporary accommodation.
- Average length of stay in B&B/hotel accommodation.

- Income recovered through temporary accommodation charges.
- Temporary accommodation rent arrears.
- Number of households successfully moved into settle accommodation.
- The number of void properties within the temporary accommodation portfolio.
- Occupancy levels and the standard of temporary accommodation units.
- Complaints, suitability reviews and MP enquiries relating to temporary accommodation.
- Expenditure against budget and overall spending on temporary accommodation.

This Temporary Accommodation Policy will be reviewed annually by the Strategic Housing and Homelessness Service Manager.

Minor amendments to the policy may be approved by the Head of Service in consultation with the relevant Cabinet Member. Any substantial changes to policy direction or service delivery will be subject to Cabinet approval.

Temporary Accommodation Suitability Assessment

This assessment must be completed prior to or as soon as reasonably practicable following placement.

Household Name:

Case Reference:

Address of Accommodation:

Type of Accommodation:

Date of Placement:

Key Checks:

- Household size and composition considered
- Location and distance considered
- Employment, education and caring responsibilities considered
- Medical, disability and support needs considered
- Property safety and condition confirmed
- Equality Act considerations applied

Property considered suitable? Y/N

Any mitigations?

Officer Name:

Signature:

Date:

Revised Housing Anti-Social Behaviour and Hate Crime Policy

Committee:	Cabinet
Date of Meeting:	15 September 2026
Report of:	Head of Housing and Corporate Assets
Portfolio:	Housing and Corporate Assets

1 Purpose of Report

- 1.1 To seek Cabinet approval for the revised Housing Anti-Social Behaviour (ASB) and Hate Crime Policy.

2 Recommendations

- 2.1 That Cabinet approve the revised Housing Anti-Social Behaviour and Hate Crime Policy as included in Appendix 1 and note the easy read version at Appendix 2.

Reasons for Recommendations

- 2.2 Cannock Chase Council has a statutory duty under the Crime and Policing Act 2014, to work in partnership with other agencies to prevent and tackle Anti-Social Behaviour and any form of Harassment. This responsibility is also highlighted in the [Consumer Regulatory Standards for Social Housing Landlords](#).

3 Key Issues

- 3.1 In addition to our statutory responsibilities, if left unchallenged, ASB can have a significant negative impact upon the lives of our communities, including those who live in our housing stock, in our neighbourhoods and those who work, visit, and invest in our district.
- 3.2 Cannock Chase Council's aim is to promote a safe and secure environment for people living on our council estates, and to investigate reports and complaints of ASB under the Anti-Social Behaviour, and the Crime and Policing Act 2014.
- 3.3 Housing Services' obligations are set out in the tenancy agreement, which defines the relationship between the Council and its tenants. These obligations also form part of the Regulator of Social Housing's Neighbourhood and Community Standard.

4 Relationship to Corporate Priorities

- 4.1 This report supports the Council's Corporate Priorities as follows:
 - i) **Health and Wellbeing** - by using various intervention methods to ensure the mental health and wellbeing of vulnerable residents are supported and assisted.
 - ii) **The Community** - by working in partnership to ensure that our council, neighbourhoods, and homes are safe.

5 Report Detail

- 5.1 The revised Housing ASB Policy sets out Cannock Chase Council's commitment to tackling ASB and identifies risk and vulnerability.
- 5.2 Council Managers, Officers, and internal partners have been involved in the review of this policy. A Tenant Consultation Survey on this policy was carried out in October 2025 for 6 weeks.
- 5.3 The new Crime and Policing Act 2026 aims to reduce knife crime, anti-social behaviour, and violence against women and girls. As well as providing stronger tools for police and local authorities to protect communities and vulnerable individuals. The new role of the Neighbourhoods Enforcement Officer has strengthened working practices to tackle and enforce anti-social behaviour.
- 5.4 The revised Policy identifies:
- Placing victims and witnesses at the core of our procedures;
 - Ensuring that all reports of ASB are treated seriously and dealt with professionally;
 - Making effective and appropriate use of the ASB tools and powers available to allow ASB to be addressed firmly, fairly and proportionately;
 - Joint working with partner agencies to deliver an efficient, and effective service; and
 - Clarifies definitions and subcategories of ASB and the investigation process.
 - Clarifies what informal action and legal tools can be used.
 - Monitoring of the application of the policy.
 - Promotion of the policy on the website and tenant's newsletter. There will also be hard copies of the policy available on request.
- 5.5 To comply with the Regulator of Social Housing Neighbourhood and Community Standard, landlords must:
- Have a policy on how they work with relevant organisations to deter and tackle ASB in the neighbourhoods where they provide social housing.
 - Clearly set out their approach for how they deter and tackle hate incidents in neighbourhoods where they provide social housing.
 - Enable ASB and hate incidents to be reported easily and keep tenants informed about the progress of their case.
 - Provide prompt and appropriate action in response to ASB and hate incidents, having regard to the full range of tools and legal powers available to them.
 - Support tenants who are affected by ASB and hate incidents, including by signposting them to agencies who can give them appropriate support and assistance.

6. Implications

6.1 Financial

Cases progressing to court would attract legal costs, but the Council would seek to retrieve these upon prosecution.

6.2 Legal

We will continue to consult and work with Legal Services regarding advice around cases, and appropriate and proportionate legal escalation methods.

Where escalation to court is necessary, consideration will need to be given to the capacity within the Legal Services team and determine whether the work will need to be outsourced or can be carried out in-house.

Section 17(1) of the Crime and Disorder Act 1998 requires an authority, in the exercise of its functions, to have due regard to the likely effect of those functions on, and the need to do all that it reasonably can to prevent crime and disorder; the misuse of drugs, alcohol and other substances; re-offending; and serious violence. Regarding serious violence, s.17(1A) imposes a duty on the Council to do all it reasonably can to prevent people from becoming involved in serious violence and to reduce instances of serious violence. The duty applies with respect to the local authority's area.

Section 218A of the Housing Act 1996 requires local housing authorities to prepare a policy in relation to anti-social behaviour and procedures for dealing with occurrences of such behaviour. This must be kept under review and, from time to time, a revised statement published.

Section 149 of the Equality Act 2010 requires the authority, in the exercise of its functions, to have due regard to the need to eliminate discrimination, harassment, victimisation, and any other conduct prohibited by the 2010 Act. To advance equality of opportunity between persons who share a relevant protected characteristic and those who do not, and to foster good relations between those who share a relevant protected characteristic and those who do not (the public sector equality duty (PSED)).

The relevant protected characteristics are age; disability gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation. The duty must be complied with at the time that the decision under consideration is made and must be conducted with rigour and with an open mind. It is not, however, a duty to achieve a particular result and there will be decisions that do not give rise to any specific PSED issues. This draft strategy addresses matters and issues that assist in meeting the PSED.

6.3 Human Resources

None.

6.4 Risk Management

The policy ensures the Council are complying with their statutory duties.

6.5 Equalities and Diversity

An Equality Impact Assessment was undertaken. It addresses and outlines the protected characteristics under Equalities Act 2010 as outlined in section 20.0 of the Policy Statement.

The aim is to ensure that enforcement actions do not disproportionately affect or discriminate against vulnerable groups whilst enabling the Council to manage serious ASB.

Any vulnerabilities identified will be actioned using existing intervention mechanisms within the Housing Anti-Social Behaviour Policy and by referrals through the Community Safety Partnership Hub.

6.6 Health

The impact of ASB on individuals and communities is well documented and is known to impact both physical and mental health. By seeking to address these issues via a robust policy, it is hoped that these negative effects shall be minimised.

Implementation of the (ASB) Policy reinforces the Council's commitment to protecting the local environment by using statutory powers to address environmental ASB such as fly-tipping, littering, and waste-related nuisance. These behaviours contribute to poorer local environmental quality and can indirectly affect air quality, particularly where waste accumulation, burning of materials or unmanaged environmental neglect occur. By setting out clear responsibilities, strengthening multi-agency working and improving the Council's capacity to respond to environmental offences, the policy supports cleaner, safer neighbourhoods and helps reduce the wider public health and environmental impacts associated with unmanaged ASB.

6.7 Climate Change

None.

7 Appendices

Appendix 1: Draft Housing ASB Policy and Hate Crime Policy

Appendix 2: ASB Policy (easy read version)

8 Previous Consideration

None.

9 Background Papers

05 June 2025 - Updated Corporate Anti-Social Behaviour (ASB) Policy.

21 August 2014 - ASB Crime & Policing Act 2014

23 November 2011 – Tackling ASB on Council's Housing Estates

Contact Officer:	Howard Campbell / Belinda Wildey
Telephone Number:	01543 464 499 / 01543 464 443
Ward Interest:	All
Report Track:	Cabinet: 15/09/26
Key Decision:	Yes



Cannock Chase Council Housing Services

Anti-Social Behaviour and Hate Crime Policy

2026 - 2028

Version Control

Version	Approval Stage	Date
1	Internal	24/9/25
2	Head of Service sign off	13/10/25
3	Tenants/Public Consultation	24/10/25
4	Leadership Team	31/03/26

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Relevant Legislation	Other associated legislation, relevant to tackling ASB, includes, but is not limited to: • The Anti-Social Behaviour Crime and Policing Act 2014 • Housing Act 1996 • Civil Evidence Act 1995 • Crime and Disorder Act 1998 • Data Protection Act 2018 & UK GDPR • Housing Act 1988 • Children Act 1989 • Anti-Social Behaviour Act 2003 • Human Rights Act 1998 • Equality Act 2010
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Background

Cannock Chase Council works in partnership to combat Anti-Social Behaviour in line with the approved Corporate Anti-Social Behaviour Policy and the Housing Services Anti-Social Behaviour Policy. The Policies focus on safe, sustainable neighbourhoods, and the management of the Housing Anti-Social Behaviour (ASB) Service.

We are responsible for delivering a service to customers as well as providing guidance for tenants and leaseholders on how the Council responds to complaints about Anti-Social Behaviour within the Corporate and Housing Services ASB Policy.

We understand that Anti-Social Behaviour (ASB) can have a negative impact on peoples' lives.

The aim of this Policy is to primarily minimise ASB. However, as it is not always possible to prevent ASB we also aim to be able to be efficient at identifying and mitigating ASB in the way that is reasonable and proportionate.

This Policy sets out that where ASB is reported to the Council which effects our customers, and our housing management function, we will act quickly and decisively, and work with our partners and Staffordshire Police to tackle ASB.

It offers a process to ensure we provide a consistent and proportionate response through a mix of prevention, early intervention, and enforcement measures. We will, where it is necessary, work with our partners to get the victim the best possible help. This may require sharing of information. We will ensure that this is done safely, and that the victim's confidentiality is preserved where possible.

This document is produced to set out our approach to tackling ASB and compliance with section 218A of the Housing Act 1996 and section 12 of the Anti-Social Behaviour Act 2003.

It outlines the commitment to our duties in relation to the Equality Act 2010 (with regards to Anti-Social Behaviour and Hate Crime), which aims to eliminate unlawful discrimination, advance equality of opportunity, and foster good relations.

In general, ASB is considered to include behaviour capable of causing nuisance, annoyance, or disturbance to any person; or an act that causes, or is likely to cause harassment, alarm or distress to one or more persons, not of the same household.

There are three main types of ASB. These are:

- Serious (Harassment, Harm or Distress)
- Persistent (ongoing levels of noise/nuisance)
- Environmental (garden/rubbish or animal related)

The response times to reports of antisocial behaviour are published on the Cannock Chase Council website.

1.0 Scope of the Policy

This Policy outlines how Cannock Chase Council's Housing Services deals with reports of ASB, including hate crimes, and nuisance.

This Policy is not applicable to registered social landlords operating in Cannock Chase who are responsible for the investigation and management of ASB/nuisance relating to their own tenanted properties.

This Policy is not applicable to noise and environmental ASB/nuisance in private housing and on private land which is not owned by Cannock Chase Council Housing Services.

2.0 Policy Statement

Our aim is to promote a safe and secure environment for people living in Cannock Chase. We will work in partnership with other agencies to do all we can to prevent ASB and any form of harassment.

We understand that ASB can have a negative impact on our people, our communities, and our employees. Where behaviour is reported to the Council, we will carry out an investigation and act quickly and decisively to assist in resolving the matter. This will be designed to ensure that we provide a consistent and proportionate response.

We will use a range of preventative measures, early intervention and legal action if appropriate to tackle ASB. This includes the full range of tools and powers available to us set out in the ASB, Crime and Policing Act 2014.

It sets out the measures relating to anti-social behaviour (ASB) within the Charter for Social Housing Residents under the Social Housing Act and outlines our duties under the Equality Act 2010 in relation to ASB and hate crime.

Any actions we take will be proportionate to the seriousness, impact, and frequency of the behaviour. Including the level of risk it poses to those affected and the evidence available to support the case.

We will not take enforcement action where there is insufficient evidence, or it is not proportionate to do so. If there is an ongoing Police investigation, we may wait until the outcome before taking any further action. This may not always be the case as alternative action would be considered depending on the level of ASB.

3.0 Policy Definitions

Anti-Social Behaviour

The Anti-Social Behaviour Crime and Policing Act 2014 defines ASB as:

- *Conduct that has caused, or is likely to cause, harassment, alarm, or distress to any person.*
- *Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or*
- *Conduct capable of causing housing-related nuisance or annoyance to any person.*

Harassment

This is a form of ASB that is targeted at a person or a group of people for any reason.

Harassment is defined in the Equality Act 2010 as unwanted conduct by one person towards another, related to a relevant protected characteristic, where the conduct has the purpose or effect of violating the person's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment.

Hate Crime

A hate crime is generally defined as an act or acts where a person has demonstrated hostility towards another based on race, religion, disability, sexual orientation or transgender identity, or act or acts which have been motivated by hostility based on race, religion, disability, sexual orientation, or transgender identity. We work in partnership with Staffordshire Police to ensure referral measures, and support mechanisms are in place.

4.0 Investigation of Anti-Social Behaviour

The following are classified as activities associated with ASB and will be investigated by the Housing Neighbourhoods Team working together with our partners such as Staffordshire Police.

Serious ASB: (response time 1 working day)

- Threatening or intimidating behaviour.
- Physical violence.
- Criminal behaviour in council properties, including drug dealing and cultivation.
- Hate incidents and hate crime in council tenancies.
- Domestic violence/abuse in council tenancies throughout the course of the investigation.

This is not an exhaustive list and responsibility for investigation of each case will be addressed on the circumstances of the issue(s) being reported and either advice will be given, or the matter will be investigated.

The following list provides examples of activities that could be considered as

Persistent: Noise/Nuisance: (response time 2 working days)

- Dogs barking excessively.
- Unreasonable domestic noise, for example, persistent night-time disturbances.

- Frequent and persistent loud music.
- Offensive verbal abuse.
- Alcohol related nuisance.
- Causing an obstruction with vehicles and nuisance from vehicle repairs.
- Communal area related nuisance.
- Persistent foul language.

This is not an exhaustive list and responsibility for investigation of each case will be addressed on the circumstances depending on the issue(s) being reported and advice will be given, or the matter will be investigated by other Services such as Environmental Health.

The following list provides examples of activities that could be considered as **Environmental: (response time 5 working days)**.

- Vandalism
- Graffiti
- Pet and animal nuisance
- Garden related nuisance litter/rubbish/fly tipping

5.0 What Cannock Chase Council may do.

- Depending on the nature of the issue you are reporting, we will either provide you with advice at the first point of contact or refer the matter to the Neighbourhoods Officer for investigation. We may also signpost you to other agencies who we feel may be able to assist you with your enquiry.
- We will consider your needs and the harm the ASB or nuisances causes you. We will consider the risks to you and where appropriate, we will work with other agencies to protect your safety and provide you with support.
- We will tell you who will handle your ASB/Nuisance case. We will investigate the matter, and we may use monitoring equipment to assist us.
- We will not disclose your details to the alleged perpetrator(s) without your consent, and we will keep you informed of the actions we take. This is dependent on the seriousness of the ASB or matters relating to safeguarding.
- We will use a range of preventative measures, early intervention and, where it is necessary and proportionate, use a full range of tools and powers available. Legal action will be considered and taken where necessary to tackle the ASB.

We will contact you before we close a case and give our reasons for doing so.

6.0 What the Council will not investigate

This Policy does not cover:

- Reasonable domestic noise or daily activities of living in a property, such as noise from vacuuming, doors closing, washing machines, televisions, footsteps, mowing lawns, and DIY/repairs during the day.
- One off incident of loud music/noise disturbance, including family celebrations, or events.
- Fly Tipping on open spaces that is reported to the Council Contact Centre or other service.
- Noise transference due to poor sound insulation.
- Cooking or household smells unless there is a statutory nuisance.
- Domestic pets defecating in neighbours' gardens.
- Babies crying.
- Parking congestion on the street (parking enforcement is the responsibility of Staffordshire County Council).

Customers who contact Cannock Chase Council to report the above issues will be provided with the appropriate advice at the first point of contact and the enquiry will be logged. This list is not an exhaustive list and the advice given will be based on the circumstances of the issue being reported.

7.0 What we expect from our customers

We expect residents of Cannock Chase Council not to commit ASB or nuisance or harassment. We expect you to resolve minor disputes or disagreements with your neighbour(s) if it is appropriate. Guidance is available on the website.

Cannock Chase Council tenants are responsible for abiding by the terms of their tenancy agreement. Leaseholders are responsible for abiding by the terms of their lease.

We expect people to be responsible for their behaviour (including children, lodgers, pets) living and visiting their property. This includes the property itself, on surrounding land, in communal areas, and the wider locality. The responsibility remains, whether permission was given/the behaviour was encouraged or not.

8.0 Examples of ASB

Our starting position when dealing with whether something reported is ASB is the housing related definition of ASB that is found within Part 1 of the ASB, Crime and Policing Act 2014. It defines ASB as:

“Conduct capable of causing housing related nuisance or annoyance to any person”

This is a low threshold. There are lots of behaviours that people may consider to be causing nuisance and annoyance to them, which will be inappropriate to class as ASB and/or breaches of tenancy. As a result, we will also consider the behaviour that has been reported to us as unreasonable.

To decide whether behaviour has been unreasonable, we adopt a harm-centred approach, considering the circumstances of each individual case. We are likely to consider the following when we are deciding:

- How often the incidents are happening.
- The duration of the incidents.
- The times of the day or evening the incidents are occurring.
- The impact that the incidents are having on the victim/s.
- The intention behind the behaviour.
- Third party independent witnesses.

In addition to considering the legal definition and whether the behaviour is unreasonable, the behaviour must also be affecting our housing management function. We may, therefore, act against non-tenants if their behaviour affects our tenants or leaseholders, and our housing management function (for instance if they are causing problems for our customers, employees and contractors).

In some cases, there may be another agency who is better placed to manage the case (such as another Registered Provider if the perpetrator is a resident of theirs). The decision about who the lead agency is, will be made on a case-by-case basis.

We will always consider the views of the complainant; and we are responsible for:

- Deciding if a report is ASB.
- Deciding how it should be categorised.
- Agreeing the most appropriate course of action in a case.

Where we decide that a report is not ASB we will:

- Inform the complainant as soon as possible.
- Provide practical advice and guidance, if appropriate.
- Consider whether a referral to a support service would assist the complainant.

9.0 Neighbour Disputes

We class a neighbour dispute as a situation where there is a disagreement between parties, usually relating to lifestyle choices. Examples include arguments over boundaries, placement of rubbish bins, the parking of cars, shared driveways, or the use of social media etc.

It is inevitable that we are sometimes going to live near to people that we do not get along with. We believe that everyone has a social responsibility to be courteous to those who live and work in our neighbourhoods and local areas. We believe that disagreements about lifestyle differences, for instance, should be something that the parties try and resolve themselves. Therefore we are unlikely to categorise this as ASB. While we will work to promote tolerance and understanding within our neighbourhoods and help prevent these types of issues from arising, we will not take tenancy action or categorise a matter as ASB unless the behaviour meets the definition of ASB

Any actions which can be shown to relate to an individual's personal characteristics as defined in the Equality Act 2010 because of perceived differences (e.g. age, disability, gender reassignment, marriage and civic partnership, race, religion, sexuality etc or beliefs, pregnancy and maternity and sexual orientation), will be taken seriously and categorised as ASB.

10.0 Action

We have a wide range of actions available to address ASB. Our preference is to intervene early and deal with cases using non-legal means. However, we do not adopt an incremental approach and will take the action that is believed to be proportionate and that has a genuine chance of resolving the matter.

10.1 Preventative Action

Our preference is to prevent ASB from occurring and in the first instance, we endeavour to achieve this through the following means:

- Having a robust sign-up process which clearly outline customer responsibilities.
- Using introductory tenancies to monitor the conduct of tenants during the infancy of the tenancy, allowing us to take swift action to address any early breaches of tenancy.
- Providing information to our residents through our communications, newsletters, and social media posts.

10.2 Informal Action

We seek to resolve ASB at the earliest possible stage, using non-legal remedies, where possible. We have a range of non-legal remedies available, including but not limited to:

- Mediation
- Warning letters
- Meetings
- Acceptable Behaviour Contracts
- Good Neighbourhood Agreements
- Community Protection Warnings

10.3 Legal Action

Where appropriate and proportionate, we will consider the use of a legal remedy to resolve issues of ASB. The legal actions we may take include:

- An Injunction further to Part 1 of the Anti-Social Behaviour, Crime and Policing Act 2014.
- Proceedings against the tenancy in line with the terms and conditions of the Tenancy Agreement. This action will depend on whether the tenancy is introductory or a secure tenancy.

We will ensure that the notices are served in the correct manner and where a mandatory route is taken, the tenant has a right to appeal the decision.

In some situations, we may consider that the most effective way to tackle an issue is by liaising with other colleagues within the Council or externally as part of the Community Partnership Team with a view to securing other Orders, such as a closure order. In these circumstances we will work with the partner agency seeking the order to support them on this action.

11.0 ASB directed at our employees and contractors

Unfortunately, it is sometimes our employees or contractors that are subjected to ASB. We strongly believe that our employees and contractors should be able to conduct their duties without ASB being caused to them and we will not tolerate such action. This includes from the tenant themselves or any of their household members (including any animals) or visitors to their property.

Where ASB has been directed at an employee or contractor, we will consider it in line with this Policy and our ASB procedure and take positive action to support their wellbeing.

Where necessary, we will use the Anti-social Behaviour, Crime and Policing Act 2014 and the Housing Act 1988 which provides legal powers that can be used to protect employees, including applying for injunctions or taking tenancy enforcement action.

12.0 Risk and Vulnerability Victim Support

We seek to prioritise reports of ASB that are most serious, to ensure that any risk or harm is managed quickly and appropriately for the victim. We use a matrix which is classed as **Serious** with a response time of **1 working day**.

A case may be re-categorised during our case management processes if we determine, for example, that the behaviour and/or risk has become more serious.

We work to identify any victim vulnerability at various stages throughout our case work by:

- Recognising early signs of risk and vulnerability in the initial contact.
- The case officer will complete a full risk assessment once complete details have been gained from the complainant. The results will guide the case management response and the steps we take to support the complainant.
- We continue to review the risk assessment throughout the case and take necessary action if the risk level changes.

13.0 Perpetrator Support

We hold lots of information about our residents and their circumstances. We work to try and identify some of the factors that might contribute towards undesirable behaviour, such as poor mental health, loneliness, and isolation, allowing us to intervene to prevent ASB from occurring in the first place. We consider the needs of the perpetrator at various stages throughout a case. We will consider whether to offer any further support and/or depending on the vulnerability, if a referral should be made to a multi-agency group.

When managing cases involving perpetrators with support needs, we adopt a twin approach meaning that enforcement (non- legal or legal) and intervention can be taken at the same time. Our priority is to stop the ASB and harm to complainants/victims. A support need will not stop or delay us from taking the appropriate action. Non-availability of required support and refusal or non-engagement from the perpetrator will also not be allowed to prevent or delay action being taken where necessary.

14.0 Witness Support (Support for witnesses)

While our preference is always to deal with ASB through intervention methods, legal action will sometimes be required. To be able to take legal action we require evidence and often this will come from complainants (which might include our employees and contractors, when they have been witness to, or victims of ASB). We appreciate that this can be daunting, and we aim to make the witness feel supported as much as possible during the process of giving evidence.

Depending on the needs, appropriateness, and availability, we may offer the following support to our witnesses:

- Practical advice on court hearings and giving evidence.
- Pre Court visits.
- Logistical support relating to travel and attendance.
- Explanation of court outcomes and next steps following hearings.

15.0 Partnership Working

Cannock Chase Council Community Safety Partnership supports and contributes to partnership initiatives to reduce crime and ASB which is a legal requirement. Partnership working is essential to achieving success in dealing with ASB. We work in partnership with a variety of agencies across the district where we manage our homes including but not limited to: Staffordshire Police, Fire & Rescue Service, NHS Medical/Mental Health Teams, Social Care (adult/Children) Services, Youth Offending Team/Probation, and Third or Voluntary Sector Service Providers.

Where appropriate, we request, arrange, and attend partnership meetings where a multi-agency approach is required to resolve specific issues of ASB. These may include referral of cases to the Council's partnerships hub.

In many instances, to pursue a course of action, joint working is an important approach taken. Other partners may be able to provide evidence and additional information.

Our tenancy sustainment team work with and assist vulnerable Tenants. They provide tailored support to those at significant risk of ASB and tenancy failure.

16.0 Safeguarding

We recognise that employees are trained to deal with ASB and Safeguarding and are likely to encounter children and/or adults where there are concerns about safeguarding.

We will actively participate in multi-agency arrangements for safeguarding children, young people and adults.

Awareness of, and sensitivity to information sharing protocols and data protection is crucial. However, safeguarding concerns override the need for confidentiality in respect of relevant statutory authorities if all activity is properly recorded, within the timescales outlined within the Corporate Safeguarding Policy. All our employees have a duty to act in relation to safeguarding concerns and will always comply with the requirement of the Policy in relation to safeguarding.

17.0 Monitoring and Review

We will monitor and review this Policy in response to any changes in legislation, regulation or best practice. The policy will be reviewed every 3 years and will be revised in accordance with any future legislative changes as and when they occur.

We will engage openly and proactively with the Regulator of Social Housing and other stakeholders.

We will closely monitor the quality of the service that we provide in relation to ASB. We will do this by:

- Ensuring that our ASB Service Standards are being met (these are published on the Council website [Customer Service Standards](#)).
- Completing customer surveys (where possible).
- Conducting regular reviews of ongoing cases, to assess progress and identify any barriers.
- Setting a range of key performance indicators, which helps us monitor the effectiveness and development of the service.
- We also believe that it is important to strive to continue to develop our ASB service.

18.0 How we handle your information

We will store your information securely in line with our Privacy Policy. We may share your personal information with other agencies, but we will only share information where we have information sharing protocols in place and or confidentiality agreements in place.

We will also give information to other agencies where we have a legal obligation to do so or where there are safeguarding concerns.

For more information on how we use your data, see our Privacy Notice - [Data Protection - Privacy Notices | Cannock Chase District Council](#).

19.0 Employee Training

We are committed to providing employees with the necessary training required to effectively deal with ASB and Safeguarding related issues. This training will be regularly refreshed and updated to ensure employees are kept abreast of changes in legislation or policy.

20.0 Equality Impact Assessment

We will ensure that the service is delivered in a fair and accessible way to our customers, and in doing so will pay due regard to any protected characteristics and the Council's equality duties under the Equality Act 2010

21.0 Complaints and Compliments

The Council is committed to handling complaints of ASB in a professional manner. We welcome any feedback from our customers and partners, both positive and constructive. If anyone is not happy with the way we have managed their case, we would welcome feedback so that we can review and improve our service.

Information on the Complaints and Compliments Procedure can be found on the Council website - <https://www.cannockchasedc.gov.uk/council/about-us/customer-feedback-help-us-get-it-right>.

22.0 Associated Policies and Documents

Corporate Anti-Social Behaviour Policy

Corporate Safeguarding Policy

Housing Services Vulnerability Policy

Housing Services Allocations Policy

Housing Services Dealing with Domestic Abuse document

Tenancy Agreement

23.0 Contact

To find out more about this policy please contact:

Neighbourhoods Team,

Cannock Chase Council

Civic Centre,

Beecroft Road,

Cannock,

Staffs,

WS11 1BG

Telephone: 01543 462621

E-Mail: EMTeam@cannockchasedc.gov.uk

Housing Anti-social behaviour Policy

Easy read version





Cannock Chase Council has an Anti-Social Behaviour Policy.



This easy read leaflet provides examples of anti-social behaviour, how to report anti-social behaviour, and our procedure for dealing with a report.

What is anti-social behaviour?



Anti-social behaviour is inconsiderate or illegal behaviour that negatively affects one or more people living in our communities. This can be upsetting, hurtful or frightening to others.

Examples of anti-social behaviour



Violence or threat of violence



Excessive noise
(rowdy parties,
loud music/TVs,
dog barking)



Intimidation
and harassment

Examples of anti-social behaviour



Offensive
drunkenness/
misuse of drugs



Dumping
rubbish

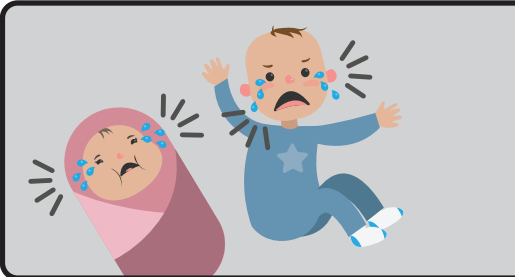


Vandalism

Examples of what is NOT anti-social behaviour



Children playing



Babies crying



Parking issues

Examples of what is NOT anti-social behaviour



DIY during the day



Social Media disputes



One-off
celebrations/BBQs



Normal living noise

How to report incidents of anti-social behaviour



You should report anti-social behaviour to any member of our **Housing Team** on **01543 462621** or email your **Neighbourhoods Officer** directly.



You can also report anti-social behaviour online:

<https://customers.cannockchasedc.gov.uk/report-a-nuisance-ccdc>



For noise complaints and nuisance regarding pets, you should contact your **Neighbourhood Officer**. The Neighbourhoods Team can provide the relevant contact details.



If a crime has been committed, you should contact **Staffordshire Police**.

999 (Emergency) | 101 (Non-emergency).

Ask for a Crime reference number to send to your Housing Officer.

What you should tell us:



What has happened?

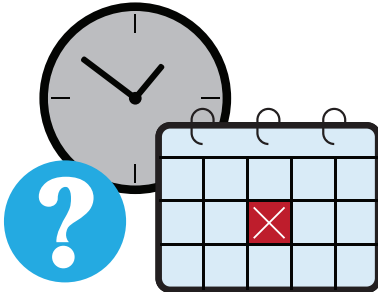


Was anyone hurt?



Who was involved?

What you should tell us:

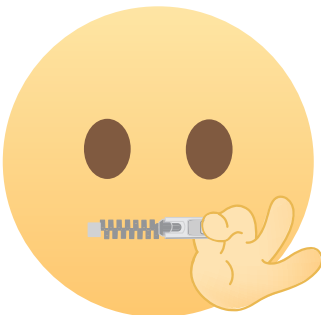


When did it happen?



Where it happened?

What we will do:



We will not say where the report came from without your consent.

What we will do:



We will investigate your report.



Speak to other agencies and witnesses.



Speak to the person you have reported.



Give warnings if there is a breach of tenancy.

How long will an anti-social behaviour investigation take?



We will try to conclude all ASB investigations as quickly as possible. Sometimes when additional supporting information is required, there may be delays. We will aim to keep you up to date on progress.

Contact us



Tel: **01543 462621**
(Monday to Friday 9am - 5pm)

Out of hours ASB 24hr hotline:
01543 462621 (after 5pm onwards)



Report ASB online:
**[https://customers.cannockchasedc.gov.uk/
report-a-nuisance-ccdc](https://customers.cannockchasedc.gov.uk/report-a-nuisance-ccdc)**



Email: **EMTeam@cannockchasedc.gov.uk**



**By personal visit to the
Bungalow Annex Housing Reception
or your home**

Monday to Friday 9am - 5pm

(An appointment may be necessary to speak
with a named officer)



**Cannock Chase Council, Civic Centre,
Beecroft Road, Cannock, Staffordshire WS11 1BG**



Visit: **www.cannockchasedc.gov.uk**

Notes

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South and Mid-Staffordshire Local Government Reorganisation Joint Committee

Committee:	Cabinet
Date of Meeting:	15 September 2026
Report of:	Head of Law and Governance
Portfolio:	Leader (Regeneration & Corporate Strategy)

1 Purpose of Report

- 1.1 To update Cabinet on the government's recent decision to reorganise local government in Staffordshire and the immediate steps required to support transitional work.

2 Recommendations

- 2.1 That Cabinet approves the establishment of a South and Mid Staffordshire Joint Committee with membership from Cannock Chase District Council, East Staffordshire District Council, Lichfield District Council, Stafford Borough Council, Staffordshire County Council, South Staffordshire District Council and Tamworth Borough Council, under section 101(5) of the Local Government Act 1972.
- 2.2 That the Terms of Reference attached in the **APPENDIX** are approved and delegated authority is given to the Chief Executive, in consultation with the Leader, to make such amendments as deemed necessary to comply with the requirements of any relevant Structural Change Order made under the Local Government and Public Involvement in Health Act 2007.
- 2.3 That Cabinet approves the nomination of the Leader as the Council's representative on the joint committee and agrees that the Leader may nominate one other Cabinet Member to act as their substitute.
- 2.4 That the proposed arrangements be reported to Council for information and endorsement.

Reasons for Recommendations

- 2.5 On 16th July 2026, the government issued its decision to reorganise local government in Staffordshire and Stoke-on-Trent into two new unitary councils. This change will be introduced by the issue of a Structural Change Order (SCO) made under the Local Government and Public Involvement in Health Act 2007.
- 2.6 The SCO will require local authorities involved in reorganisation to set up joint committees to oversee initial implementation plans and prepare information for the new Shadow Authority. The government's implementation guidance recommends that local authorities set up "voluntary" Joint Committees before the SCO comes into effect to provide more time for developing implementation plans and proposals for the new authorities to consider.

3 Key Issues

- 3.1 The joint committees will be a statutory requirement once the SCO is made. Joint Committees do not make any decisions on implementation, and their role is limited to preparing proposals and facilitating transitional arrangements prior to Shadow Authorities being elected.
- 3.2 While the Council is not required to set up the joint committees at this stage, it is recommended that implementation work is commenced as soon as possible to provide the groundwork for Shadow Authorities to undertake their functions effectively.

4 Relationship to Corporate Priorities

- 4.1 Priority 4: Responsible Council: to work with neighbouring Councils to develop and deliver a plan for the transfer of services and the workforce to a new unitary Council.

5 Report Detail

- 5.1 On 16th July 2026, the Secretary of State for Housing, Communities and Local Government announced their decision, subject to Parliamentary approval, to implement the creation of two new unitary local authorities for Staffordshire and Stoke-on-Trent. A North Staffordshire Authority will cover the areas of Newcastle-under-Lyme, Staffordshire Moorlands and Stoke-on-Trent. A South and Mid Staffordshire Authority will cover the areas of Cannock Chase, East Staffordshire, Lichfield, South Staffordshire, Stafford Borough and Tamworth.
- 5.2 It is anticipated that elections to the new authorities will take place in May 2027. The wards for the South and Mid Staffordshire Authority will be based on the existing 46 Staffordshire County Divisions in the area, as these were recently reviewed in 2024 and produce comparable councillor to elector ratios across the whole of South and Mid Staffordshire. Each ward will be represented by two councillors, with an overall number of 92 elected councillors for the area. It is anticipated that the Local Government Boundary Commission for England will look to review electoral arrangements for all reorganised councils within their first terms of office.
- 5.3 From May 2027, the new authority will act as a “Shadow Authority” that will oversee plans to transfer functions, assets and liabilities from existing local authorities to the new authority on 1st April 2028 (Vesting Day). From Vesting Day onwards, the new Authority will have full responsibility for delivering local government functions and services across its area.
- 5.4 These changes will be implemented by the making of a Structural Change Order. The SCO will create the new authorities, introduce governance structures to oversee implementation of the new arrangements, transfer functions from existing authorities and dissolve existing authorities.
- 5.5 Having regard to previous reorganisation exercises, the SCO is expected to be laid before Parliament early in the new year and to come into force around in February or March 2027. It will provide for the establishment of joint committees which will oversee implementation of reorganisation until the first meeting of the Shadow Authority.

The joint committees will oversee activities such as:

- preparing an Implementation Plan to ensure the transfer of functions, assets and responsibilities to the new councils,
- forming a shared team of officers to assist implementation
- formulating proposals for constitutions, code of conduct and other standing order for recommendation to the Shadow Authorities
- Taking steps to recommend interim statutory officer appointments to the Shadow Authorities for Head of Paid Service, Chief Finance Officer and Monitoring Officer
- agreeing the process for an independent review of Members Allowances for the new authorities

- 5.6 Due to the significant preparatory work that will need to be carried out prior to the establishment of the Shadow Authorities in May 2027, local authorities are advised to establish the joint committees on a voluntary basis prior to the SCO being made. Joint Committees do not make any decisions on how reorganisation is implemented, and their role is principally one of collective political oversight, coordination, preparation and recommendation. Its detailed remit is set out in the proposed Terms of Reference, but it is anticipated that the committee will receive reports and proposals from an officer Implementation Team and LGR Programme Workstreams.
- 5.7 Membership of the statutory joint committees will be prescribed by the SCO. One will cover South and Mid Staffordshire and the other will cover North Staffordshire. In order for the voluntary joint committee to comply with the terms of the SCO it will be important to align with the SCO from the outset where possible. With regard to the South and Mid Staffordshire Joint Committee, it is expected that the SCO will require all 6 district councils to appoint 1 member each (plus 1 substitute member to act in their absence) and for the County Council to appoint 6 members. The Chair will be appointed by the Joint Committee from within its membership.
- 5.8 Draft Terms of Reference are attached as an **APPENDIX**. They have been drafted to align with the powers and responsibilities that are expected to be set out within the SCO (and in accordance with similar SCOs made in respect of other local government areas). The terms of reference will be adopted by the joint committee, who will also need to agree any amendments considered necessary to undertake their duties under the SCO, once that is made.
- 5.9 The SCO will require the Joint Committees to form an “Implementation Team” of officers, with representatives from all constituent councils. These officers will support the Joint Committees, and subsequently the Shadow Authorities, with the preparation and review of implementation across both South and Mid Staffordshire and North Staffordshire.
- 5.10 Overview and Scrutiny of progress on Local Government Reorganisation will continue to be undertaken through the Responsible Council Scrutiny Committee.

6 Implications

6.1 Financial

The Joint Committee will not hold any funds, monies, property or assets on behalf of the constituent councils. The establishment of the Joint Committee will result in administrative and programme costs. These will be met as agreed by the constituent councils. Any expenditure by the Council will remain subject to its approved budget and normal financial governance arrangements.

6.2 Legal

The Council is able to establish, and appoint to, joint committees under section 101 and 102 of the Local Government Act 1972 and 9EB of the Local Government Act 2000. Regulation 11 of the Local Authorities (Arrangements for the Discharge of Functions) Regulations 2012 gives the Cabinet authority to delegate executive functions and make appointments to a joint committee.

6.3 Human Resources

A decision will need to be made about the terms and conditions offered to those assigned to work as part of the implementation team. Where assigned roles do not represent a direct comparison to existing work then it may be necessary to determine an alternative approach to remuneration across the implementation team. In addition, the method of transfer, for example through secondment arrangements will also need to be determined.

6.4 Risk Management

Delays in formulating effective implementation plans could hinder the ability of the Shadow Authority to safely and effectively progress transition of services and functions to the new authority.

6.5 Equalities and Diversity

None.

6.6 Health

None.

6.7 Climate Change

None.

7 Appendices

Appendix 1: Joint Committees Terms of Reference

8 Previous Consideration

None.

9 Background Papers

None.

Contact Officer: Ian Curran

Telephone Number: 220

Ward Interest: All

Report Track: Cabinet: 15/09/26, Council: 30/09/26

Key Decision: No

South and Mid Staffordshire Local Government Reorganisation
Voluntary Joint Committee

Terms of Reference

1. Purpose

- 1.1 To establish a Voluntary Joint Committee of the constituent councils comprising the proposed South and Mid Staffordshire Council area in order to provide collective political leadership, oversight and coordination of the local government reorganisation programme and preparations for the establishment of the new unitary authority.
- 1.2 The Voluntary Joint Committee shall provide a forum through which the constituent councils may work collaboratively to support transition arrangements pending the establishment of any statutory Joint Committee and Shadow Authority arising from a Structural Changes Order.
- 1.3 The Voluntary Joint Committee will be constituted from September 2026 and shall continue until the date specified in, or determined in accordance with, the Structural Changes Order. Where the Structural Changes Order provides for the Voluntary Joint Committee to continue as the Statutory Joint Committee for the relevant new unitary council area, it shall continue in force and operation accordingly. Where no such provision is made, the Voluntary Joint Committee shall be dissolved on the day following the first meeting of the Shadow Authority, unless the constituent councils agree an earlier or later dissolution date.

2. Governance

- 2.1 The Voluntary Joint Committee shall be known as the South and Mid Staffordshire Local Government Reorganisation Voluntary Joint Committee (“the Voluntary Joint Committee”).
- 2.2 The constituent councils have resolved under section 101(5) and section 102 of the Local Government Act 1972 to establish the South and Mid Staffordshire Voluntary Joint Committee as a collaborative forum to support coordination, oversight, and preparation for local government reorganisation. The Voluntary Joint Committee shall not exercise any executive or non-executive functions of the constituent councils by virtue of these Terms of Reference unless there is a lawful basis for the exercise of those functions. Following the making of the Structural Change Order, the Joint Committee shall operate in accordance with the functions, powers and arrangements established by the Order and any associated legislation.

- 2.3 The Senior Responsible Officer (SRO) for Local Government Reorganisation, is the Chief Executive of Staffordshire County Council, as directed by MHCLG.
- 2.4 The Chief Executive of Stoke-on-Trent City Council for the North Staffordshire area and the Chief Executive nominated by the constituent councils of the South and Mid Staffordshire area shall act as Deputy Senior Responsible Officers (Deputy SROs) for local government reorganisation.
- 2.5 The SRO and relevant Deputy SRO shall jointly provide strategic leadership and professional advice to their respective Voluntary Joint Committee and shall work together to ensure effective delivery of the implementation programme.
- 2.6 The relevant Deputy SRO shall have a significant role in co-leading their respective Voluntary Joint Committee, including shaping the forward work programme and agendas, commissioning and assuring reports and recommendations, coordinating officer and workstream activity, advising the Chair and Deputy Chair, and overseeing implementation and transition readiness for the relevant future unitary area.
- 2.7 The SRO and relevant Deputy SRO shall agree clear working arrangements and responsibilities for the relevant future unitary area. Any material difference of professional advice between them shall be transparently reported to the Chair and Deputy Chair and, where material to a decision, to the Voluntary Joint Committee.
- 2.8 In addition, a Deputy Senior Responsible Officer (Assurance) shall provide programme-wide assurance support to the Senior Responsible Officer and the Deputy Senior Responsible Officers and Voluntary Joint Committees. The Deputy SRO (Assurance) shall have a cross-cutting role in reviewing implementation planning, governance, risk, interdependencies, readiness, and compliance with MHCLG expectations, and may provide assurance advice to either Voluntary Joint Committee where relevant.
- 2.9 The constituent “councils” shall be:

For the South and Mid Staffordshire Joint Committee:

Staffordshire County Council, Cannock Chase District Council, East Staffordshire Borough Council, Lichfield District Council, South Staffordshire District Council, Stafford Borough Council and Tamworth Borough Council.

- 2.10 Political proportionality requirements shall not apply to the Voluntary Joint Committee. Allocation of places on each committee to be agreed by each constituent Council as per their own arrangements.
- 2.11 The Voluntary Joint Committee shall not hold funds, monies, property, or assets on behalf of the constituent councils.
- 2.12 Should the work programme require any change to the delegated powers or these Terms of Reference, such change shall require approval by all constituent councils.
- 2.13 The Secretary, in consultation with the Chair, Deputy Chair, the designated Monitoring Officer, designated Section 151 Officer, the Senior Responsible Officer and the relevant Deputy Senior Responsible Officer, may make minor or technical amendments to these Terms of Reference to remove an inconsistency with the Structural Changes Order, provided that any substantive change shall require approval by the constituent councils.
- 2.14 These Terms of Reference shall be reviewed following publication of any Structural Changes Order and may be amended by agreement of all constituent councils.
- 2.15 In the event that a Structural Changes Order requires the establishment of a Joint Committee for the relevant new unitary council area, the Voluntary Joint Committee shall, from the date on which the relevant provisions of that Order come into force, continue in force and operation as that joint committee, unless the Order provides otherwise.
- 2.16 From that date, references in these Terms of Reference to the Voluntary Joint Committee shall be read as references to the Joint Committee required by the Structural Changes Order, subject to any amendments necessary to comply with the Order.
- 2.17 Subject to any contrary provision in the Structural Changes Order, decisions, recommendations, and actions of the Voluntary Joint Committee shall continue to have effect as decisions, recommendations and actions of the joint committee required by the Order.
- 2.18 Where any decision, recommendation or action taken before the Structural Changes Order comes into force is not substantially consistent with the requirements of that Order, the matter shall be reconsidered by the Joint Committee as soon as reasonably practicable after the relevant provisions of the Order come into force.

3. Remit

3.1 The remit of the Voluntary Joint Committee shall be:

- i. To provide collective political oversight and coordination of the local government reorganisation programme for the relevant new unitary council area.
- ii. To prepare for and facilitate the economic, effective, efficient, and timely transfer of functions, property, rights, liabilities, staff, and related responsibilities to the new unitary authority, so far as they relate to the relevant new council area.
- iii. To prepare, keep under review and revise as necessary an Implementation Plan, including plans, timetables, budgets, resources, risks, milestones, interdependencies, and supporting proposals necessary to support transition and vesting day readiness.
- iv. To formulate proposals for the Shadow Authority's governance framework, including its Code of Conduct, constitution, financial regulations, standing orders, scheme of delegation, committee structure, calendar of meetings, overview and scrutiny arrangements, Members' Allowances Scheme and Independent Remuneration Panel.
- v. To oversee proposals relating to financial planning, assets, liabilities, organisational design, service continuity, civic and ceremonial matters, senior leadership arrangements, and interim statutory officer appointments.
- vi. To receive reports and recommendations from the Implementation Team, programme workstreams and relevant officers, and to provide political direction or recommendations within the Joint Committee's remit.
- vii. To act as the principal political forum for collaborative consideration of transition planning between the constituent councils and to make recommendations to constituent councils and, where appropriate, any future statutory Joint Committee or Shadow Authority.
- viii. To engage, where appropriate, with Government, sector bodies, partner organisations, and other relevant stakeholders in support of the transition programme.
- ix. To prepare such other documents, proposals and recommendations as the Joint Committee considers necessary or desirable to support the establishment of the new unitary authority and the work of any future Shadow Authority.

- x. In carrying out its remit, the Joint Committee shall have regard to the proposal being implemented, relevant information supplied to the Secretary of State, ministerial decisions and correspondence, MHCLG implementation guidance, the Structural Changes Order once available, and any relevant financial, assurance, service continuity or transition considerations affecting the constituent councils.
 - xi. To take decisions in accordance with the principles of good decision-making, namely: giving consideration to all options available; having regard to due consultation; giving consideration to professional advice from officers; having clarity of aims and desired outcomes; ensuring that the action proposed is proportionate to the desired outcome; having respect and regard for human rights and the councils' Public Sector Equality Duties; applying a presumption in favour of openness, transparency and accountability; taking into account only relevant matters; giving due weight to all material considerations, including opportunities and risks; and ensuring that proper procedures are followed.
 - xii. The Voluntary Joint Committee shall have regard to advice provided by the Senior Responsible Officer or the relevant Deputy Senior Responsible Officer on implementation planning, governance arrangements, programme delivery, transition readiness, and matters affecting the future unitary area and, where relevant, assurance advice provided by the Deputy SRO (Assurance. The Senior Responsible Officer and the relevant Deputy Senior Responsible Officers will ensure that any advice provided is consistent between them and in accordance with national guidance, and the agreed local programme management principles and processes.
- 3.2 From the date on which the Staffordshire (Structural Changes) Order [MM/YYYY] comes into force until the fourteenth day after the ordinary day of election of Councillors in May 2027, the Voluntary Joint Committee may, by written notice to the proper officer of each constituent council, require the council referred to in the notice to take such action as is relevant to the function of preparing for and facilitating the economic, effective, efficient and timely transfer to the South and Mid Staffordshire Council of its functions, property, rights and liabilities, such functions to be discharged via the Voluntary Joint Committee.
- 3.3 Any such functions shall be discharged through the Voluntary Joint Committee in accordance with the Structural Changes Order and these Terms of Reference.

4. Membership

- 4.1 The Voluntary Joint Committee shall comprise 12 voting members in total, aligned to the recommended structure set out by MHCLG for the South and Mid Staffordshire Joint Committee.
- 4.2 Six voting members shall be appointed by Staffordshire County Council.
- 4.3 Six voting members shall be appointed by the district and borough councils within the proposed South and Mid Staffordshire Council area, Cannock Chase District Council, East Staffordshire Borough Council, Lichfield District Council, South Staffordshire Council, Stafford Borough Council and Tamworth Borough Council.
- 4.4 The district and borough council appointments shall be made on the basis of one voting member from each district or borough council.
- 4.5 Voting members appointed under paragraphs 4.2 and 4.3 shall be the Leader of each appointing council. Where constituent councils have multiple appointments, they are to be appointed by each Council in accordance with its own constitutional arrangements.
- 4.6 Each appointing council shall also appoint a named substitute for each voting member.
- 4.7 Where a voting member is unable to attend a meeting of the Joint Committee, the named substitute member may attend and act in their place with full speaking and voting rights.
- 4.8 Where both the voting member and substitute member attend a meeting of the Voluntary Joint Committee, only the voting member shall be entitled to exercise voting rights.
- 4.9 In the event of any voting member ceasing to be a member of the constituent council which appointed them, the relevant constituent council shall, as soon as reasonably practicable, appoint another voting member in their place.
- 4.10 Where a voting member ceases to hold the office or position by virtue of which they were appointed, or where a substitute member ceases to be eligible to act as substitute, the relevant constituent council shall appoint a replacement as soon as reasonably practicable.
- 4.11 Each constituent council may remove a voting member or substitute member and appoint a different member or substitute in accordance with that authority's own constitutional arrangements, and by providing notice to the Chair or Secretary.

- 4.12 The Voluntary Joint Committee recognises that continuity of membership is an important factor in maintaining programme knowledge, effective governance, and timely decision-making during the transition period. Changes to substitutes should therefore only be made where reasonably necessary, with notice provided to the Secretary as soon as reasonably practicable.

5. Quorum

- 5.1 The quorum shall be five voting members, including at least two members appointed by Staffordshire County Council and at least three members appointed by district or borough councils.
- 5.2 No business shall be transacted at a meeting unless a quorum exists at the beginning of the meeting and remains present for the item of business being considered. If the Chair or Secretary declares that a quorum is not present, the meeting shall be adjourned for 15 minutes and, if it remains inquorate, shall stand adjourned.

6. Chair and Deputy Chair

- 6.1 The Chair and Deputy Chair shall be appointed by the Voluntary Joint Committee at its first meeting and thereafter annually.
- 6.2 The Chair, or in their absence the Deputy Chair, shall preside at meetings of the Voluntary Joint Committee.
- 6.3 Where both the Chair and Deputy Chair are absent or unable to act, the Voluntary Joint Committee shall elect one of the members present to preside for the balance of that meeting, or part of the meeting, as appropriate.
- 6.4 For the avoidance of doubt, the role of Chair and Deputy Chair vests in the principal member concerned and, in their absence, the role shall not automatically fall to that constituent council's substitute member.
- 6.5 Where the Voluntary Joint Committee has failed to appoint a Chair at its first or any subsequent meeting, the members present shall elect one of their number to preside for that meeting or until a Chair is appointed.

7. Voting

- 7.1 Each voting member present at the meeting shall have one vote.
- 7.2 The Voluntary Joint Committee shall seek to reach decisions by consensus wherever possible.

- 7.3 Where a vote is required, all questions shall be decided by a majority of the votes of the members present and voting, the Chair having a casting vote in addition to their vote as a member of the Voluntary Joint Committee.
- 7.4 Voting at meetings shall be by show of hands.
- 7.5 On the requisition of any two members, made before the vote is taken, the voting on any matter shall be recorded by the Secretary so as to show how each member voted and the name of any member present who abstained from voting.
- 7.6 Where, in relation to a proposed recommendation, the members appointed by any one constituent council indicate that they do not support the proposed recommendation and request that this paragraph applies, consideration of that matter shall be deferred to the next meeting of the Voluntary Joint Committee.
- 7.7 If, at the next meeting, the members appointed by the same constituent council again indicate that they do not support the proposed recommendation and request that this paragraph applies, the Voluntary Joint Committee shall not make a single recommendation on that matter. Instead, it shall refer the matter to the Shadow Authority, future statutory Joint Committee, or constituent councils as appropriate, together with any alternative options or views identified by the Voluntary Joint Committee.

8. Committees and Advisory Groups

- 8.1 The Voluntary Joint Committee may appoint sub-committees from its membership as required to enable it to execute its responsibilities effectively and may delegate tasks and powers to the sub-committee as it sees fit, subject to the scope of any delegation made to the Voluntary Joint Committee by the constituent councils.
- 8.2 The Voluntary Joint Committee may establish advisory groups as required to enable it to execute its responsibilities effectively and may delegate tasks to those bodies.
- 8.3 Advisory groups may be formed of officers or members of the constituent councils, Implementation Team representatives, or such third parties as the Voluntary Joint Committee considers appropriate.
- 8.4 Advisory groups shall not exercise decision-making powers unless expressly authorised.

- 8.5 The Voluntary Joint Committee may delegate the finalisation of documents, recommendations or other matters within its remit to the Senior Responsible Officer and the relevant Deputy Senior Responsible Officer acting jointly, in consultation with the Chair, Deputy Chair, relevant Monitoring Officer and Section 151 Officer, subject to any limitations or conditions specified by the Voluntary Joint Committee.
- 8.6 The relevant Deputy Senior Responsible Officer will be responsible for ensuring the overall effectiveness of the Committee arrangements, accountable to the Senior Responsible Officer and the Committee Chair.

9. Implementation Team

- 9.1 As soon as practicable after the establishment of the North Staffordshire and South and Mid Staffordshire Voluntary Joint Committees, they shall jointly form, on a voluntary basis, a single team of officers, known as the "Implementation Team," for the purpose of assisting both Voluntary Joint Committees in the discharge of their functions and, if required, the North Staffordshire and South and Mid Staffordshire Shadow Authorities.
- 9.2 The members of the Implementation Team shall include officers from Staffordshire County Council and from each of the North Staffordshire / South and Mid Staffordshire constituent councils.
- 9.3 The Leader of the Implementation Team, to be known as the Senior Responsible Officer (SRO), shall be the person who is for the time being the Chief Executive of Staffordshire County Council.

10. Hosting and Administration

- 10.1 The Voluntary Joint Committee shall at its first meeting decide which of the constituent councils will be the host authority, and the Head of Democratic Services or equivalent officer from that authority shall be Secretary to the Committee.
- 10.2 The Voluntary Joint Committee shall at its first meeting decide which constituent council will provide the Section 151 Officer role.
- 10.3 The Voluntary Joint Committee shall at its first meeting decide which constituent council will provide the Monitoring Officer and Legal Adviser to the Joint Committee.
- 10.4 The Voluntary Joint Committee shall at its first meeting decide whether secretariat and administrative support will be jointly funded by the constituent councils, or which constituent council will provide that support. Each authority shall remain responsible for receiving and paying any travel or subsistence claims from its own members.

10.5 The functions of the Secretary shall be:

- i. to maintain a record of membership of the Voluntary Joint Committee and any sub-committees or advisory groups appointed;
- ii. to summon meetings of the Voluntary Joint Committee and any sub-committees or advisory groups;
- iii. to prepare and send out agendas in consultation with the Chair and Deputy Chair, the SRO, and the relevant Deputy SRO;
- iv. to keep a record of proceedings, attendance, declarations of interests and decisions;
- v. to publish minutes and other documents in accordance with these Terms of Reference and applicable access to information requirements;
- vi. to take such administrative action as may be necessary to give effect to decisions and recommendations of the Voluntary Joint Committee; and
- vii. to perform such other functions as may be determined by the Voluntary Joint Committee from time to time.

11. Meetings

11.1 The Voluntary Joint Committee shall meet at such frequency as it determines, having regard to the requirements of the local government reorganisation timetable.

11.2 At its first meeting, the Voluntary Joint Committee shall agree a schedule of meetings, including the proposed dates, times, and location. Meetings shall normally be held within the relevant new unitary council area unless otherwise agreed by the Voluntary Joint Committee. The Secretary shall notify members of the confirmed arrangements for each meeting.

11.3 The proceedings of meetings shall be webcast and recorded where suitable facilities are available at the meeting location.

11.4 Meeting papers shall be published and circulated by the Host Authority in accordance with applicable access to information requirements, including the Local Government Act 1972. The Chair may choose to accept or reject urgent items tabled at any meeting.

11.5 Additional ad hoc meetings may be called by the Secretary, in consultation where practicable with the Chair and Deputy Chair, in

response to receipt of a written request setting out an urgent item of business within the functions of the Voluntary Joint Committee from:

- i. any two members of the Joint Committee; or
 - ii. the Chief Executive of any constituent council.
- 11.6 The Secretary shall settle the agenda for any meeting after consulting, where practicable, the Chair or, in their absence, the Deputy Chair, the SRO and the relevant Deputy SRO. The relevant Deputy SRO may submit items, reports and recommendations for inclusion and shall be consulted on the forward work programme for their respective Committee.
- 11.7 The Joint Committee shall, unless the person presiding at the meeting or the Joint Committee determines otherwise, conduct its business in accordance with the procedure rules set out below.

12. Access to Information

- 12.1 Meetings of the Voluntary Joint Committee shall be held in public except where confidential or exempt information, as defined in the Local Government Act 1972, is being discussed.
- 12.2 These rules do not affect any more specific rights to information contained elsewhere under law.
- 12.3 The Secretary shall ensure that relevant legislation relating to access to information is complied with. Each constituent council shall co-operate with the Secretary in fulfilling any requirements.
- 12.4 The host authority shall coordinate the handling of Freedom of Information requests, Environmental Information Regulations requests and data protection requests relating to the business of the Voluntary Joint Committee. Each constituent council shall remain responsible for responding to requests in respect of information it holds, and shall cooperate with the host authority and other constituent councils where a request relates to information held by more than one authority.

13. Attendance at Meetings

- 13.1 The SRO, relevant Deputy SRO and Deputy SRO (Assurance) shall be entitled to attend and speak at all meetings of the Voluntary Joint Committee and any sub-committee or advisory group established by it. Their attendance shall not be dependent on an invitation from the Chair.
- 13.2 The Chair may invite any person, whether a member or officer of one of the constituent councils, an Implementation Team representative,

external adviser or third party, to attend a meeting and speak on any matter before the Voluntary Joint Committee.

13.3 Third parties may be invited to attend the Voluntary Joint Committee on a standing basis following a unanimous vote of those present and voting.

13.4 Where agenda items require independent experts or speakers, the officer or authority proposing the agenda item should indicate this to the Secretary and provide the Secretary with details of who is required to attend and in what capacity. Participation by independent experts or speakers shall be subject to the discretion of the Chair.

14. Order of Business

14.1 The order of business at each meeting shall be:

- i. Apologies for absence;
- ii. Declarations of interests;
- iii. Approval as a correct record of the minutes of the last meeting;
- iv. Matters set out in the agenda for the meeting;
- v. Programme, implementation, and governance reports;
- vi. Matters on the agenda which, in the opinion of the Secretary, are likely to be considered in the absence of the press and public.

14.2 The Chair of the meeting may vary the order of business at the meeting.

14.3 There shall be no provision for public questions, statements, or petitions unless the Voluntary Joint Committee resolves otherwise.

14.4 Members of the Voluntary Joint Committee shall remain subject to the Code of Conduct of their own constituent council. Members are responsible for complying with their own authority's requirements in relation to declarations of interest, participation in meetings, withdrawal from meetings and dispensations.

15. Minutes

15.1 Minutes shall be prepared by the Secretary and submitted to the next ordinary meeting for approval.

15.2 There shall be no discussion or motion made in respect of the minutes except as to their accuracy. If no question of accuracy is raised, or once any such question has been disposed of, the Chair shall sign the minutes.

15.3 Minutes shall record those present, apologies, declarations of interest, decisions, recommendations, and any recorded vote.

16. Rules of Debate

- 16.1 A member wishing to speak shall address the Chair and direct their comments to the question being discussed.
- 16.2 The Chair shall decide the order in which to take representations from members wishing to speak and shall decide all questions of order. The Chair's ruling on all such questions or on matters arising in debate shall be final and shall not be open to discussion.
- 16.3 A motion or amendment shall not be discussed unless it has been proposed and seconded.
- 16.4 When a motion is under debate no other motion shall be moved except the following:
 - i. To amend the motion;
 - ii. To adjourn the meeting;
 - iii. To adjourn the debate or consideration of the item;
 - iv. To proceed to the next business;
 - v. That the question now be put;
 - vi. That a member be not further heard or do leave the meeting;
 - vii. To exclude the press and public under section 100A of the Local Government Act 1972.
- 16.5 Members shall conduct themselves in accordance with their own authority's Code of Conduct.

Community Asset Transfer Policy

Committee:	Cabinet
Date of Meeting:	15 September 2026
Report of:	Interim Head of Housing & Corporate Assets
Portfolio:	Housing & Corporate Assets

1 Purpose of Report

- 1.1 To present the proposed Community Asset Transfer (CAT) Policy and to seek Cabinet's approval for the adoption and implementation of the policy at the Council.

2 Recommendations

That Cabinet:

- 2.1 Consider and note the CAT policy.
- 2.2 Cabinet agree to the adoption & implementation of the CAT policy at the Council.
- 2.3 That Cabinet agree delegated authority provided to the Interim Head of Housing & Corporate Assets / Deputy Chief Executive (Place), to implement and manage the CAT in line with the policy attached.
- 2.4 That Cabinet agree delegated authority provided to the (Interim) Head of Housing & Corporate Assets / Deputy Chief Executive (Place), in consultation with the Lead Cabinet Member for the service area, to review and make any non-material changes to the CAT policy as required.
- 2.5 That Cabinet note, further monitoring and update reports will be presented for information on the CAT policy as determined.

Reasons for Recommendations

- 2.6 Through the Council having an adopted CAT policy, it will provide a transparent and consistent approach to dealing with all enquiries to the Council.
- 2.7 Further to Local Government Re-organisation, there has been an increase, both in terms of interest and approach to the Council relating to CAT.

3 Key Issues

- 3.1 Without an adopted CAT policy, the management and oversight of any CAT process, would be more ad hoc and complex.
- 3.2 The CAT Policy will assist both the Council and any applicants considering the option of making a CAT request to the Council.
- 3.3 The CAT policy provides a transparent and consistent approach to all CAT enquiries to the Council.

4 Relationship to Corporate Priorities

- 4.1 The CAT policy provides a robust framework, good governance, transparency, and overall robust financial management relating to the Council's assets. This specifically links to the Council's priority to be "a modern, forward thinking and responsible Council."
- 4.2 The above also underpins the delivery of the Council's other corporate and operational services, particularly if the CAT can provide further enhancements and benefits to the community and the Council.

5 Report Detail

- 5.1 As part of the Council's overall strategic asset management, CAT is an important component of that wider corporate position.
- 5.2 CAT are particularly important, where further enhancement and benefits can be provided to the community and the Council.
- 5.3 It is important that the Council applies a transparent and consistent approach to all CAT requests and that this is based on robust framework and governing principles.
- 5.4 Without an adopted policy, the Council would be more ad hoc in terms of its management and implementation. This would potentially bring more inconsistency and complexity. Having one adopted framework, provides a robust approach, governance, and oversight.
- 5.5 The CAT Policy (see appendices to this report), provides detailed information, both in terms of the CAT process to go through and also the information requirements of any application.
- 5.6 Clear governing principles are outlined in the CAT policy, which set the underlying baseline of the CAT policy, including eligibility.
- 5.7 Whilst it is important for CCDC to consider all CAT requests both in the immediate and short term, it is also important that the Policy provides consideration of any potential impact for the new successor authority, to be created under local government re-organisation - South & Mid Staffordshire.
- 5.8 The Council has to work within the legal and statutory parameters at all times and further detail is provided within the attached CAT policy.

6 Implications

6.1 Financial

- 6.1.1 Every CAT application to the Council, will go through the CAT appraisal process and Stages, as outlined in detail within the CAT Policy, attached to this report.
- 6.1.2 The process will include key stage and gateway criteria, and full due diligence will be undertaken. This will include the requirement for financial business cases to be submitted throughout any CAT application.

- 6.1.3 Any CAT application, will need to pass through the above due diligence stages and therefore each application and its financial implications, will be assessed on case-by-case basis.
- 6.1.4 Final decision(s) relating to CAT, will be subject to formal Cabinet Report and Cabinet approval. Where necessary, Full Council approval may also be required as per the Council's Constitution.

6.2 Legal

- 6.2.1 Section 123 Local Government Act 1972 requires that a local authority obtains best consideration in the disposal / transfer of its assets / land (which means the commercial value, capable of being assessed by a valuer (generally market value). The only consideration that can be taken into account is that which has commercial or monetary value to the local authority, and, for example, does not include the creation of jobs. The terms "disposal / transfer" include the grant of a lease for a term of over seven years.
- 6.2.2 The Secretary of State has given a general consent for local authorities to dispose / transfer assets / land (including by the grant of a lease of more than seven years) at an undervalue if it considers it will help it to secure the promotion or improvement of the economic, social or environmental well-being of its area. However, even where a specific proposal to dispose / transfer of assets / land for less than the best consideration falls within the terms of the general consent, a local authority should comply with usual and prudent commercial practices, including obtaining the view of a professionally qualified valuer as to the likely amount of undervalue.
- 6.2.3 The Subsidy Control Act 2022 ("the Act") sets out certain obligations with regards to subsidy. A subsidy is where a public authority provides support to an enterprise which gives them an economic advantage which they would not normally get in the commercial market. This can include leasing premises below market price.
- 6.2.4 As the Council could be leasing premises at less than market rent to voluntary and community organisations this would constitute a subsidy under the Act. This is because the financial assistance would confer an economic advantage on one or more enterprises and is specific in its nature. It would therefore be capable of having an effect on competition or investment within the UK.
- 6.2.5 Part 3 of the Act deals with exemptions and provides for cases in which the subsidy control requirements do not apply to the giving of a subsidy. Minimal financial assistance (MFA) is an exemption which allows public authorities to award low value subsidies without needing to comply with the majority of the subsidy control requirements. MFA is capped at a threshold of £315,000, meaning that no individual recipient can receive more than this amount over the applicable period which is the elapsed part of the current financial year and the immediately preceding 2 financial years. This is a cumulative figure alongside all other subsidies received to prevent enterprises receiving numerous low value subsidies that cumulatively exceed the £315,000 threshold.

- 6.2.6 In deciding whether to use the MFA exemption, the Council should be aware that additional MFA cannot be given to a beneficiary that has already reached their MFA threshold. The Council must give an MFA confirmation to the enterprise if giving the subsidy as MFA. Any subsidy in excess of £100,000 must be uploaded to the subsidy database for transparency.
- 6.2.7 It is critical that the Council complies with the provisions of the Act in cases where it is giving subsidies. Failure to comply could lead to a challenge by an interested party via the Competition Appeal Tribunal, and the Tribunal has powers to set aside the Council's decision to award the subsidy and to make a recovery order, requiring the Council to recover some or all of the subsidy from the beneficiary.
- 6.2.8 Where an asset transfer is approved consideration will be given to appropriate restrictions on future use.

6.3 Human Resources

- 6.3.1 Any Human Resources implications will be assessed throughout the CAT Stage Gateway due diligence process and assessed on case-by-case basis.

6.4 Risk Management

- 6.4.1 Recent situations have arisen where Councils have been served with non-statutory best value notices for not achieving best value in contravention of s123 which can lead to government intervention.
- 6.4.2 Without a CAT Policy in place, the Council cannot ensure CATs are offered transparently and equitably across communities.
- 6.4.3 Having an adopted Policy in place will ensure a robust, transparent, and consistent approach to all CAT enquiries made to the Council, and particularly where multiple groups apply for the same asset.
- 6.4.4 The CAT Policy ensures all applications undergo a full Stage Gateway and due diligence process. Throughout this process, key assessments will be undertaken including around financial sustainability, asset insurances, robust management, and delivery structures, as well as those wider social, environmental and community benefits from any CAT. See Policy for detail.

6.5 Equalities and Diversity

- 6.5.1 Each CAT application will be assessed on case-by-case basis, including for impacts around delivery, including Equalities & Diversity.
- 6.5.2 All CAT applications will need to provide detailed business cases and as part of those cases, will need to present detailed information on need/demand, benefits to the local community and other proposed delivery impacts.
- 6.5.3 Any CAT application would need to demonstrate strong links to the local community and people of Stafford Borough, benefit as wide and diverse a range of local people as possible and demonstrate an inclusive approach to all members of the community.
- 6.5.4 Equally there will be an expectation that decision making process is influenced by local community.

6.6 Health

- 6.6.1 All CAT applications will be assessed on case-by-case basis, including for beneficial impacts around delivery. These benefits may be directly/indirectly related to health and this will be tested through the due diligence process of the CAT process.

6.7 Climate Change

- 6.7.1 All impacts, including Climate Change will be assessed under the CAT process. Where improvements and beneficial enhancements can be demonstrated through the CAT application, this may result in improved environmental and ecological impacts for the project.

7 Appendices

- 7.1 Appendix 1: Cannock Chase District Council – Community Asset Transfer Policy (+ Policy Appendices A, B, C).

8 Previous Consideration

None.

9 Background Papers

None.

Contact Officers:	Deborah Walthorne: Interim Head of Housing & Corporate Assets Kathryn Beeson – Corporate Asset Manager
Telephone Number:	01543 464 291
Ward Interest:	District Wide
Report Track:	Cabinet: 03/09/26
Key Decision:	Yes

Cannock Chase District Council
Community Asset Transfer Policy

1. Introduction

The purpose of this Community Asset Transfer (CAT) policy is to provide a transparent framework, to guide consideration of requests for the transfer of assets from Cannock Chase District Council (CCDC) to local community organisation(s).

This Policy will:

- Act as reference point for procedural matters.
- Ensure that CCDC is fair & consistent in its dealings relating to CAT.
- Ensure that CCDC meets legislative requirements.
- Allow CCDC to consider options towards delivering wider objectives of the Corporate Plan.

The CAT framework (as further outlined in Appendix A & Appendix B) will support asset transfers that:

- meet community need and demand.
- support CCDC's aims and objectives.
- are evidenced by a transparent business case including financial implications.
- are sustainable in the long term (particularly if long lease or freehold transfer).

Context:

Cannock Chase District Council (CCDC) will, in common with all councils in Staffordshire and Stoke-on-Trent be abolished and replaced by two unitary Councils in April 2028. Our assets will transfer to the new South and Mid Staffordshire Council and will continue to benefit residents and businesses in the District.

Any CAT must not conflict with the objectives of CCDC or our successor authority.

Principles:

1. CCDC will only transfer assets where this will clearly benefit our residents, and the CAT represents value for money.
2. Assets will not normally be transferred that may now or in the future (including the successor authority):
 - a. Provide an income to the Council
 - b. Provide a regeneration opportunity
 - c. Enable the development of road, rail, electrical, gas or other infrastructure.

3. Organisations seeking a CAT must be able to demonstrate that:
 - a. They have the necessary funding, expertise, knowledge and governance arrangements to effectively manage and maintain the asset for the benefit of the community
 - b. They will deliver a benefit from the CAT that cannot be achieved by the asset remaining with the Council
 - c. There must be both a need and demand for the activities being proposed
 - d. The proposed use of the asset should not duplicate activities, services or facilities already being satisfactorily provided in the local community
 - e. Collaboration between third sector organisations and co-location of services will be actively encouraged to optimise social value and value for money; and
 - f. The proposed transfer must demonstrably support the delivery of CCDC's corporate priorities and Community Strategy
 - g. The proposed transfer or use of the asset will not adversely impact or affect any future regeneration and/or redevelopment opportunity for CCDC or its successor authority
4. The asset transfer decision must be transparent and include an assessment of detailed criteria including the following (this applies to both CCDC and/or the successor authority):
 - CCDC's asset management planning requirements for the asset
 - Benefits to the community and the authority
 - Potential loss of capital receipt and existing income or other opportunity cost arising from the transfer
 - Potential revenue savings
5. We will not guarantee exclusivity on a "first come first served" basis and will consider other expressions of interest.
6. If more than one organisation is interested in an asset, then a collaborative approach to consider co-location will be encouraged. If co-location is not appropriate, then a selection procedure will be adopted in line with this CAT Policy.

2. Community Asset Transfers

- 2.1 Under the Local Government Act 1972 local authorities have powers to dispose of property in any manner they wish, subject to certain constraints.
- 2.2 The Local Government Act 1972: Section 123, prescribes that SBC shall not dispose of land for a consideration less than the best price that can reasonably be obtained subject to certain exemptions contained in the General Disposal Consent (England) Order 2003 set out below.

- 2.3 Legally, Councils may dispose of land at less than the best consideration reasonably obtainable provided that any undervalue does not exceed £2m million and the transaction is considered by the local authority to help secure the promotion or improvement of the economic, social or environmental well-being of its area.

Disposals at greater than £2 million under-value require consent of the Secretary of State.

- 2.4 A Disposal for the purposes of the Local Government Act 1972 consists of:
- A freehold transfer; or
 - a grant of a term exceeding seven years; or
 - the assignment of a term which, at the date of the assignment, has more than seven years to run.
- 2.5 The Localism Act 2011, further extends rights and powers for communities and individuals.
- 2.6 Councils may also be restrained from disposing of land for a purpose that was not the purpose for which it was acquired under legislative powers.
- 2.7 This CAT Policy also applies to freehold or long (over 7 years) leasehold disposal of commercial or operational land and buildings.
- 2.8 A collaborative approach by CCDC and a range of public, private and voluntary sector partners to deliver our overall vision and priorities is critical.
- 2.9 The transfer of land or buildings from CCDC's ownership into the stewardship and/or ownership of third sector (voluntary & community sector) organisations could be by way of:
- management agreement
 - licence to occupy
 - short lease
 - long lease
 - freehold transfer
- 2.10 Community Asset Transfers may involve a transfer at less than market value, either at a reduced cost, or for a nominal consideration. The social, economic or environmental benefits of the proposed transfer may be considered in determining the value.
- 2.11 There will be a presumption that any lease will be on a full repairing and insuring basis, and the third sector organisation will be responsible for all running costs of the asset.

3. A Framework for Considering CAT Applications

- 3.1 The detailed process for the submission and consideration of any application is outlined in Appendix A & Appendix B. Any consideration for CAT, will be at the sole discretion of CCDC (and/or successor authority).

3.2 Requests for the transfer of CCDC owned assets will be considered where all the criteria contained in Appendix B are met.

3.3 The degree to which the criteria are met, the condition of the asset and the requirements of potential funders/lenders will be used to determine the most appropriate type of transfer agreement where applicable.

For example, an organisation may apply for a freehold transfer or long leasehold, but CCDC recommend that a short-term lease, as part of a phased transfer is more appropriate whilst additional capacity is built.

3.4 CCDC recognises the benefits of using Community Asset Transfer (CAT) where appropriate:

- Economic development and social enterprise potentially leveraging investment.
- Community empowerment.
- Improvements to local services.
- Building capacity and encouraging a more sustainable third sector.
- Value for money; and
- Supporting delivery of CCDC's Corporate Objectives.

3.5 CCDC will accept expressions of interest from Third Sector organisations and Parish/Town Councils. See Appendix A & Appendix B for further information.

Applicants should be:

- Community led.
- Strong links with the local community and directly benefit the people of Cannock Chase District.
- Benefit as wide and diverse a range of local people as possible and
- Demonstrate an inclusive approach to all members of the community.
- Decision making process influenced by local community.
- Primary purpose must be non-commercial.
- Properly constituted.
- Demonstrate good governance through open and accountable processes.
- Clear management and financial systems.

3.6 They should also have the necessary skills and capacity to:

- Deliver services and manage the asset being transferred or;
- Have access to appropriate skills; or
- Be aware of the need to build capacity and demonstrate how they will achieve.

3.7 Sustainability:

The applicant should demonstrate their ability to manage the asset effectively through the provision of a robust business plan. This should include an assessment of their financial and organisational capacity:

- Income generation proposals
- Clear analysis of community/social need, demand for proposed activities
- Space required to effectively deliver proposals
- Clear management structure and details of how building/land will be managed

on a day-to-day basis including meeting any statutory requirements

4. Legal Consideration and Disposal

4.1 Any disposal will be in accordance with this document.

4.2 CAT of premises will be by way of leases or licences, and freehold transfer will only be considered in exceptional circumstances where significant funding depends on such tenure.

4.3 The tenure offered will be determined on a case-by-case basis dependant on the strength of the applicant and sustainability of the business case, but CCDC will endeavour to meet funders requirements for security of tenure.

4.4 The decision whether to charge an open market consideration for the asset will be determined on a case-by-case basis. Factors influencing the decision will include proposed uses, extent of revenue producing opportunities and benefits to the community.

4.5 Any asset transfer at less than best consideration will be dealt with in accordance with the Local Government Act, 1972; Royal Institution of Chartered Surveyors (RICS) Valuation – Professional Standards in force at the time.

4.6 In all cases, a restrictive covenant or claw-back provision will be inserted within any Transfer to protect CCDC's (and successor authority) position and ensure CCDC receives the opportunity cost equal to the undervalue on a future sale and any windfall gain if a purchaser obtains a more profitable planning use.

4.7 Issues may arise in respect of law applicable to procurement issues, state aid, employment contracts, service agreements and other legal issues. These will be considered on a case-by-case basis with appropriate legal guidance.

4.8 Third Sector Organisations will need to recognise that it is their responsibility to ensure that any disposal at an undervalue complies with and meets regulations and demonstrate this to CCDC, so that CCDC are able to satisfy themselves that there has been no breach.

4.9 The decision to transfer an asset will not be considered as setting a precedent. Each asset transfer will be judged on its own merits, and the detail of the transfer arrangements will be subject to individual negotiation.

4.10 The Community Asset Transfer Process is outlined in Appendix A.

The stages of preparation for disposal should include the following:

- The Corporate Assets Team will act as central secretariat for all CAT.
- Internal circulation, consultation and engagement will be made with Heads of Service / Leadership Team, Elected Members, CAT Review Panel and Cabinet.
- Legal Consultation - To report fully on CCDC's title, any rights or obligations which may be bound to the site and any restraints on disposal which might be in place due to legislation. Where it is intended to include covenants or conditions, legal advice should be obtained prior to negotiations.
- Former Owner – Consider if there is an obligation under the Crichel Down Rules to offer the land back to a former owner. A summary of these rules and procedures is in "Guidance on compulsory purchase process and the Crichel Down Rules published by Department for Levelling Up, Housing and Communities in July 2019".
- Inspection - The purpose of which will be to identify regeneration and/or development potential or any matter which is likely to aide or hinder the CAT.
- Physical Constraints – Check CCDC's own records, and those of statutory undertakers, if appropriate.
- Where CCDC wishes to consider ensuring a desired use of property to achieve its policy objectives, it will be necessary to introduce restrictive covenants, where appropriate. This is especially necessary where an alternative, higher value use may exist but is not reflected by either the agreed consideration or CCDC objectives under the CAT.
- An overage provision may be contemplated, so that CCDC (and successor authority) can participate in the benefits of any future increase in value due to a more valuable planning consent or cases where there is significant uncertainty in valuation.

(Please note, the applicant will need to prior agree and cover all reasonable fees of the Council, in undertaking assessment, including, but not limited to external Valuation fees and other associated due diligence fees/costs with the CAT process).

5. Open Space – Disposal

- 5.1 Due to additional legal and advertisement requirements relating to consideration of disposal of open space, there is a flowchart provided in Appendix C which outlines the process in more detail.
- 5.2 CCDC will not normally dispose of any core recreational open spaces i.e., Parks and Gardens, Provision for Children and Young People, Outdoor Sports Facilities, Allotments, Community Gardens, Cemeteries and Churchyards and Civic Space.

- 5.3 Circumstances where disposal could be preferable is where re-provision or enhancement can be clearly demonstrated or open space elsewhere will significantly benefit the wider community.
- 5.4 CCDC will seek to dispose of 'incidental open space' and areas of landscaping or parts of these – particularly where it will reduce the financial and legal burden on CCDC (and successor authority).
- 5.5 In contemplating these sales, CCDC must comply with its legal requirement to advertise proposed sales of public open space and consider objections prior to deciding to dispose of the site.
- 5.6 There is no legal requirement for CCDC to provide a reason for not transferring/disposal, however, CCDC may refuse to transfer on the following (non-exhaustive) grounds:
- it judges that the personal safety for users of the remainder of nearby open space will be detrimentally affected e.g. where a narrow alleyway is created;
 - it will result in the wholesale loss of, or detraction from the visual quality/amenity of the surrounding area. Alternatively, in such cases it may apply covenants on sales to retain the open nature of landscaped areas and/or to require the provision of certain standards of new boundary fencing, walling or delineation;
 - it is considered that there will be detrimental impact of such transfer/disposal on neighbouring properties not financially involved in or not benefiting from the process.
 - As highlighted above, restrictive covenants may be employed to prohibit unforeseen development.
 - Any consideration relating to a release of covenant would be at the sole discretion of CCDC and would have to undergo full legal and due diligence process, in addition to any value considerations in line with RICs valuation principles.

Appendix A:

Community Asset Transfer Process

Stage	Requirements	Decision Maker
STAGE 1: Formal Expression of Interest submitted to the Corporate Assets Team by the Third Sector Organisation (TSO) either in: • Request from TSO to take on a community asset • Invitation to express interest in surplus property following asset review	Expression of Interest (EOI) • Does the EOI pass/fail on eligibility grounds? • Why is the asset needed? • Benefits to community, TSO and CCDC • Support from community/partners • Governance arrangements • Basic Business Case If the EOI application is supported, the TSO will be invited to proceed to Stage 2. If the application is not supported a full explanation will be provided.	Corporate Asset Estates Team to assess EOI. In consultation with relevant Heads of Service & Service Managers. Head of Corporate Assets & Housing to liaise and consult with Ward Members and Cabinet Member. Final decision taken by Head of Corporate Assets & Housing (or relevant officer with delegated authority in line with the Council's Constitution).
STAGE 2: Detailed Business Plan to submitted to the Corporate Assets Team.	Detailed Business Plan: • Needs analysis and projected utilisation? • Type of transfer sought and why? • Planned outcomes and benefits? • Monitoring / Management – how and what will be measured and monitored? • Details of any proposed partnership / collaborative working • Track record for delivering services/managing property • Governance and Capacity to manage the asset • 3-year plans for revenue and capital funding – projected income and expenditure including costs of managing and operating the asset • Financial sustainability and forward planning (See Business Plan Template)	Corporate Asset Team (SRO) To work with the CAT Panel (multidisciplinary team) to undertake formal Business Plan Appraisal.

Stage	Requirements	Decision Maker
STAGE 3: Full assessment of Business Plan	Report to CAT Panel: (Please note, the applicant will need to prior agree and cover all reasonable fees of the Council, in undertaking assessment, including, but not limited to Valuation fees and other associated due diligence fees/costs with the CAT process.) Detailed assessment of: • Benefits for community, the TSO and how they relate to delivering CCDC priorities • Risks in relation to financial and organisational ability to manage the asset • Potential loss of capital receipt and existing income or other opportunity cost to CCDC arising from the CAT.	Corporate Assets Team (SRO) working with CAT Panel CAT Panel (via SRO) to make Recommendation to Cabinet for final decision.
Stage 4: Recommendation Decision Completion	Report to Cabinet In line with the CAT Policy and CAT Panel Recommendation	Cabinet – Final Decision

Community Asset Transfer Criteria

1. The Applicant must be:

A Third Sector organisation

- Legal entity
- Exist for community/social/environmental benefit
- Non-profit distributing – any surpluses must be reinvested to further its community benefits/social aims.
- Properly constituted e.g. registered charity, e.g. for-profit company and constitution allows the management/ownership of buildings and provision of services.
- Demonstrate good governance through open and accountable processes
- Demonstrate it has the skills and capacity within or available to effectively deliver its services and manage the asset
- Provide services or engage in activities that deliver economic, environmental or social benefits in line with CCDC's core priorities
- Provide copies of the organisation's Annual Report and accounts if available
- Excludes Housing Associations

Community-led

- Strong links with the local community and directly benefit the people of Cannock Chase District.
- Benefit as wide and diverse a range of local people as possible and demonstrate an inclusive approach to all members of the community
- Decision making process influenced by local community

2. The Asset:

- A legal interest owned by CCDC from which the TSO can demonstrate community benefit
- The asset is in the freehold/leasehold ownership of CCDC
- The asset is not currently needed or identified for direct service delivery or future investment value
- The asset has no potential for future strategic regeneration and/or redevelopment in pursuit of CCDC's wider strategic aims and priorities, both in the present day and future looking for the new successor Council

- Preference will be given to applications for multi-uses and co-location of services. Single interest uses will only be considered where there is a significant business plan to do so

3. Proposed Use

- There is both a need and demand for the proposed activities and consideration is given as to whether or not this is being satisfactorily addressed by another organisation
- The proposed use will support the delivery of CCDC's Corporate priorities
- The proposed use will maximise opportunities for income generation to ensure sustainability
- The TSO has established how much space it requires to deliver its proposals, and how they will make optimum use of the asset
- The proposed use will deliver extensive and inclusive reach into the community and will be open to all

4. Business Plan and Finance

A robust business plan clearly stating the operation and service provision and financial and organisational capacity of the TSO to deliver the proposed services/activities and manage the asset is critical to the success of any transfer.

This will include:

- Needs analysis – how has the need for the services and use of asset been identified and what needs will be met
- How the building will be utilised to optimum effect
- Type and key terms of transfer sought and why – full justification required for a transfer as compared to licence/lease arrangement
- Benefits analysis and how they will be measured and monitored
- Details of any proposed partnership/collaborative working
- Track record for delivering service and/or managing property
- Capacity of TSO to acquire and manage the asset (including managing any liabilities) and how future capacity building requirements will be addressed
- Minimum of 3-year revenue and capital funding plans – projected income and expenditure including costs of managing, operating, insuring and maintaining the asset (including Health and Safety responsibilities)
- Financial sustainability and forward planning

Appendix C:

Open Space Disposal Process

PHASE 1 — INITIAL ENQUIRY & FEASIBILITY				
1. Enquiry received Resident or third sector enquiry logged.	→	2. Initial review Ownership, legal position, use and plot checked.	→	3. Fees agreed Legal, survey, advert and valuation costs confirmed.
PHASE 2 — PUBLIC NOTICE & DECISION				
4. Newspaper Advert - Public notice Advert placed for two consecutive weeks.	→	5. Responses reviewed CAT Panel recommendation prepared via SRO and Cabinet Member consultation.	→	6. DECISION GATEWAY Proceed or Stop Route confirmed after review.
PHASE 3 — COMPLETION, IF APPROVED				
7. Valuation instructed Valuation completed and sale price agreed.	→		8. Legal completion Legal instructed and sale/disposal completed.	