

CABINET

Wednesday, 9th June, 2021
Time of Commencement: 2.00 pm

Present:-	Councillor Simon Tagg – Chair
Councillors	Stephen Sweeney, Gill Heesom, Trevor Johnson, Paul Northcott and Jill Waring
Officers	David Adams, Martin Hamilton, Simon McEneny, Daniel Dickinson, Denise French and Sarah Wilkes

111. **APOLOGIES**

There were no apologies for absence.

112. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

113. **MINUTES**

Resolved: That the minutes of the meeting held on 21st April be approved as a correct record.

114. **WALLEY'S QUARRY UPDATE REPORT**

Cabinet considered a report on Walley's Quarry. The report outlined the background to the odour issues that had been experienced for a number of years around the vicinity of the Quarry site.

Since February 2021 there had been a step change in multi-agency working following a spike in complaints to both the Borough Council and Environment Agency. The council had also approved a specific budget of £50,000 to enable specialist advice to be secured and targeted work to take place.

The report set out the latest position regarding the odours, the action to regulate the site and actions being taken by the council including the serving of a letter before action on Walleys Quarry Ltd.

Resolved: That Cabinet:

(1) Notes that work to date by Council officers, supported by the efforts of other agencies, has ruled out the existence of any credible source of the borough odour problem other than Walleys Quarry, and once again calls on the operator of Walleys Quarry to accept its role in this issue and work to resolve it.

(2) Notes that a letter before action has been served on Walleys Quarry Ltd informing them of the Councils work regarding statutory nuisance and affording them the opportunity to provide to this Council any information to satisfy it that the company has an effective action plan and acceptable timeline in place to prevent the emission of regular, persistent and offensive odours detectable beyond the site boundary.

(3) Notes that any information received from Walleys Quarry Ltd to the letter before action will be considered after the expiry of the 14 day period for response, to inform the subsequent decision on the appropriateness of the Council serving a statutory abatement notice.

(4) Agrees that the Council continues to work with and support multi agency partner organisations in order to investigate and resolve the odour issues.

(5) Welcomes the proposal put forward by Councillor Derrick Huckfield and requests officers to evaluate the approach with the Environment Agency to inform future actions.

(6) Requests that officers prepare with Staffordshire County Council a letter to residents in affected areas highlighting the work of the two Councils

(7) Asks officers to investigate, in consultation with the portfolio holder, the case for establishing an emergency accommodation scheme for those with underlying health conditions in areas most affected by hydrogen sulphide emissions.

(8) Invites the Health, Wellbeing and Partnerships Scrutiny Committee to discuss the health issues arising from the gas odours from Walleys Quarry.

115. KIDSGROVE SPORTS CENTRE REFURBISHMENT

Cabinet considered a report on the refurbishment of Kidsgrove Sports Centre. The report noted that progress since the last report to Cabinet in March 2021 included:

- Confirmation from Willmott Dixon Construction Limited that the overall target cost for the scheme was £7.5m (which included all works undertaken to date).
- The Community Group had confirmed that the first five years of operation would require £480k of revenue support from the Council in the worst case scenario.
- The lease for the Sports Centre had been issued to the Community Group and agreed in principle.
- Successful discussions had taken place between the Community Group and the Kings Academy on sharing of facilities and the undertaking to jointly appoint a facilities manager who would work across both sites/operations.

Resolved: That Cabinet:

1. Notes the progress made on the project since the March 2021 Cabinet meeting in terms of scope, design and budget in consultation with the Kidsgrove Leisure Centre Community Group.

2. Notes that expenditure to date is £1.063m.

3. Notes that the Kidsgrove Town Deal funding allocation announced by MHCLG on the 3rd March including £2.45m towards the overall cost of the project has now been confirmed as guaranteed funding by MHCLG on 10.05.21.

4. Approves the overall capital cost of the project is £7.5m (which includes the works undertaken to date on site and the funding, including external funding sources, for the scheme is contained in section 8.1).

5. Approves the revenue support from the Council for the scheme for the first five years of the sport centre operation to the Community Group – Kidsgrove Sports Centre – is £480k worst case scenario.

6. That a further contract award is given to Willmott Dixon Construction Ltd for the amount of £6.437m to complete the works in readiness for opening in May 2022.

7. Authorises the Executive Director – Commercial Development and Economic Growth, in consultation with the Portfolio Holder, One Council, People and Partnerships to take such actions and enter such agreements as are reasonably necessary or prudent to ensure the refurbishment is complete and the centre operational by the target date.

116. KNOTTON MASTERPLAN: REPORT ON PUBLIC CONSULTATION AND SUGGESTED AMENDMENTS TO THE DRAFT KNOTTON MASTERPLAN

Cabinet considered a report on the outcome of public consultation on the draft Knutton masterplan. The consultation had taken place in January and February and the details were presented; there had been 93 responses received. The report set out a number of suggested amendments based on the outcome of the consultation.

Resolved: That

(1) The draft master plan be amended along the lines set out in section 3 of this report:

- to introduce 'traffic calming' at the entrance into Knutton from the west of Black Bank Road/ Knutton High Street,
- to introduce flood risk mitigation as part of the development of the Black Bank Road site,
- investment in shop frontages on the High Street,
- footpath and cycleway improvements,
- a reconfiguration of the proposed Acacia Avenue play facilities, and
- a more ambitious range of use and activities of the proposed Village Hall.

(2) A further report be made shortly on the level of funding offered to the Newcastle Town Deal Board which will have a significant bearing on the financial implications to the Borough Council in implementing the proposed investment in Knutton set out in the master plan.

117. PROPOSED EXTENSION TO NEWCASTLE CREMATORIUM GROUNDS AND DEVELOPMENT OF ADJACENT LAND OFF CHATTERLEY CLOSE

Cabinet considered a report on a proposed extension to Newcastle Crematorium grounds and development of land off Chatterley Close. The proposals had been subject to consultation which had generated 153 responses which were summarised in the report and attached in full as an appendix. A petition of 1700 signatures had been received. The subject had also been considered by Finance, Assets and Performance Scrutiny Committee whose views were included in the report.

Resolved: That Cabinet

(1). Notes the comments received following consultation with appropriate stakeholders along with observations received from the Finance, Assets and Performance Scrutiny Committee.

(2). Agrees to allocate space for the Crematorium extension and direct officers to look at options to finance the associated extension scope of works.

118. RECYCLING MATERIAL PROCESSING CONTRACTS

Cabinet considered a report on the tender process for the contract to process Dry Mixed Recyclate and recommending a process to market and sell separated paper and card (fibre) collected through the kerbside recycling service.

Resolved: That

1. The contract for processing Dry Mixed Recyclate is awarded to bidder C with a contract start date of the 1st April 2022, for a three year term, with an option to extend by three, one year extensions, subject to satisfactory performance as deemed by the Council, or the completion of the proposed Staffordshire Material Recovery Facilities.
2. The proposed formal process to market and contract the sale of fibre (mixed paper and card) is agreed and implemented

119. LOCAL PLANNING ENFORCEMENT PLAN - ONE YEAR UPDATE

Cabinet considered a report on progress to date with the updated Local Planning Enforcement Plan following adoption in 2020.

Resolved: That the continued use of the Local Planning Enforcement Plan in the Borough be approved and a second review of the Plan be undertaken in June 2022.

120. PROPOSED COMPULSORY PURCHASE ORDER - 12 CHEDDAR DRIVE, NEWCASTLE, STAFFORDSHIRE, ST5 6QR

Cabinet considered a report on an empty property in Newcastle under Lyme. The council had carried out extensive work but had been unable to identify an owner or next of kin. It was proposed that the property be purchased by the council.

Resolved: That the Executive Director – Commercial Development & Economic Growth be authorised to work up proposals to compulsorily acquire 12 Cheddar Drive, Newcastle, Staffordshire, ST5 6QR under Part II and section 17 of the Housing Act 1985

121. FINANCE AND PERFORMANCE REVIEW REPORT - FOURTH QUARTER JANUARY - MARCH (2020-2021)

Cabinet considered the regular finance and performance monitoring review report. The report related to the fourth quarter of 2020/21 – January – March 2021. The performance report continued to reflect the impact of Covid particularly in relation to J2, museum, car parking and markets. The unmet call volumes was high due to increased activity during the quarter including due to the census, annual Council Tax bills, elections and ongoing Covid related queries.

Resolved: That the contents of the report and Appendices A and B be noted and Cabinet will continue to monitor and challenge the Council's performance alongside its financial performance for the same period.

122. PROCUREMENT OF A FINANCIAL TRANSACTION AND LEGAL CASE MANAGEMENT SYSTEM

Cabinet considered a report on the re-procurement of financial transaction and legal case management systems. The decision had been taken under urgency powers as explained in the report.

Resolved: That the decision taken under urgency powers be noted.

123. FORWARD PLAN

Consideration was given to the Forward Plan listing upcoming key decisions to be made by Cabinet.

Resolved: That the Forward Plan be received.

124. **URGENT BUSINESS**

There was no Urgent Business.

125. **DISCLOSURE OF EXEMPT INFORMATION**

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

126. **PROCUREMENT OF A FINANCIAL TRANSACTION AND LEGAL CASE MANAGEMENT SYSTEM - CONFIDENTIAL APPENDIX**

Cabinet considered the background detail to the procurement of a financial transaction and legal case management system which had been taken under urgency powers.

Resolved: That the background detail relating to the decision taken under urgency powers be noted.

COUNCILLOR SIMON TAGG
Chair

Meeting concluded at 3.17 pm