

CABINET

Tuesday, 16th January, 2024
Time of Commencement: 2.00 pm

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Present:	Councillor Simon Tagg (Chair)		
Councillors:	Sweeney Heesom	Fear Skelding	Hutchison
Officers:	Martin Hamilton Geoff Durham Simon McEneny Sarah Wilkes Anthony Harold Nesta Barker Paul Dutton Georgina Evans-Stadward Craig Jordan	Chief Executive Civic & Member Support Officer Deputy Chief Executive Service Director - Finance / S151 Officer Service Director - Legal & Governance / Monitoring Officer Service Director - Regulatory Services Senior Media Officer Service Director - Strategy, People and Performance Service Director - Planning	

1. **APOLOGIES**

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

3. **MINUTES OF PREVIOUS MEETINGS**

Resolved: That the minutes of the meeting held on the 5th December 2023 be agreed as a correct record.

4. **WALLEYS QUARRY ODOUR ISSUES**

The Leader introduced the report on Walleys Quarry problematic odours and recent increase in complaints received.

The Chief Executive provided an update on the situation, which got indeed significantly worse over the winter. Works were being undertaken by the operator to address the issue. The Environment Agency was now considering complete closure in case the situation didn't improve and meetings were taking place with politicians to raise awareness of the problem at a wider scale.

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The Leader reported having contacted both the Prime Minister and the local Member of Parliament about the problem. The letter was attached to the meeting agenda pack.

Members asked questions and responses were provided as follows:

- The Deputy Leader asked about the abatement notice and if there were any plans to escalate the matter further. – Securing the abatement notice involved identifying that the odours had reached a certain threshold and that they were coming from Walleys Quarry. To prosecute against the abatement notice required demonstrating that this the offense was beyond any doubts of a criminal level.

The first step was to give the operator an opportunity to remedy the issue which was currently being done. It was also to be established how to hold the causer of the odour to account which was not necessarily the same thing. Once those criteria were met and the situation was not being resolved, it was then possible to consider prosecution provided this was a proportionate course of action. It was to be reminded that the Environment Agency was the primary regulator on this and that funding would need to be made available for officers to be able to take action.

- Cllr Fear commented that a lot of the stats had doubled over time and the situation was not acceptable anymore. The new leadership at the Environment Agency was welcome and Cllr Fear wished to know what would be in place to manage the situation if the operator went out of business. – This question was not to be discussed in a public forum at this moment in time.

There was a change in tone in the public statements made by the Environment Agency and the Leader wished for Cabinet to recommend a closure of the facilities until the situation is sorted out. As this would probably imply for the company's website to be taken down the Leader also expressed the need to retrieve the videos to keep a record of members' involvement towards a resolution of the problems.

- Resolved:**
- (i) That the contents of the update report be noted.
 - (ii) That the Environment Agency be encouraged to consider a Closure Notice.
 - (iii) That the video files of the Walleys Quarry Liaison Meetings be uploaded into the Council's You Tube page and linked to the Walleys Quarry section of the Council's website.

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5. BOROUGH LOCAL PLAN CONSULTATION RESPONSES AND NEXT STAGES

The Portfolio Holder for Strategic Planning introduced the report on the Borough Local Plan consultation which went beyond what was required and generated a lot of material that officers were working on extracting. While there had been some update to the National Planning Policy Framework none were to affect the plan making process. The housing numbers dropped to four years rather than five years which was to be seen as a reward to getting on with the plan. Expert advice was taken on how to calculate that. A proposal about strategic employment sites was to be included at a later stage.

The Leader reminded Cabinet of the risks of uncontrolled growth in the absence of a local plan along with the timescales with the adoption of the plan to be brought to full Council in July. The Deputy Leader echoed the fact that no local plan wouldn't mean less housing and that it could in fact be quite the opposite.

Resolved: (i) That the summary of the main issues raised to the consultation on the First Draft Local Plan which took place from the 19 June to the 14 August 2023 and the Council's initial response as set out in the Consultation Report (Appendix 1), be noted.

(ii) That the Deputy Chief Executive, in consultation with the Strategic Planning Portfolio Holder, be authorised to recommend to Council at its meeting on the 24 July 2024 that it approves the Final Draft Local Plan (at Regulation 19 stage), the Sustainability Appraisal, Habitats Regulation Assessment and supporting documentation for public consultation in line with the approved Local Development Scheme.

(iii) That, subject to the outcome of consultation, and if no matters are raised that materially impact upon the Plan strategy, the Deputy Chief Executive in consultation with the Strategic Planning Portfolio Holder be authorised to submit the Final Draft Local Plan and supporting documents to the Secretary of State for formal examination by the end of 2024.

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6. **DRAFT REVENUE AND CAPITAL BUDGETS AND STRATEGIES 2024/25**

The Deputy Leader presented the report on the draft revenue and capital budgets and strategies.

The Leader highlighted the request for an increase of the Walleys Quarry Reserve to £300,000 from 1st April to allow for potential legal action.

Resolved: (i) That the progress on the completion of the Revenue (Appendix 1) and Capital Budgets (Appendix 4), be noted.

(ii) That the updated Medium Term Financial Strategy 2024/25 to 2028/29 (Appendix 2) be noted.

(iii) That the strategy for ensuring a balanced revenue outturn position for 2023/24, be noted.

(iv) That the calculation of the Council Tax base and the Council Tax increase to be proposed for 2024/25 of 1.99% per Band D equivalent property, be noted.

(v) That the risk assessment at Appendix 3 and the Section 151 Officer's recommendation on the level of reserves and contingencies provisionally required to be maintained in 2024/25, and the further increase in the Walley's Quarry Reserve to £300,000 for 1 April, 2024, be noted.

(vi) That the draft Capital Strategy (Appendix 5) for 2024/34 be noted.

(vii) That the draft Treasury Management Strategy (Appendix 6) for 2024/25, be noted.

(viii) That the draft Investment Strategy (Appendix 7) for 2024/25, be noted.

(ix) That the draft Commercial Strategy (Appendix 8) for 2024/25, be noted.

(x) That the draft Budget and Council Tax proposals be referred to the Finance, Assets and Performance Scrutiny Committee for comment before the final proposals are considered at Cabinet on 6 February 2024.

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7. SCALE OF FEES AND CHARGES 2024/25

The Deputy Leader introduced the report on the proposed scale of fees and charges for 2024-25.

Resolved: (i) That the proposed fees and charges, to apply from 1 April 2024, as set out in Appendix 1, be approved.

(ii) That the Charging Policy, as set out in Appendix 2, be approved.

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8. STAFFORDSHIRE COUNTY COUNCIL URBAN GRASS CUTTING CONTRACT DELIVERY

The Portfolio Holder for Sustainable Environment introduced the report on the grass cutting contract delivery in relation to the urban highways verges following complaints from borough residents.

The Leader commented that improvement was to be expected both in terms of quality and consistency. Litter picking would also be undertaken before the cuts.

Cllr Fear welcomed the agreement which would come as a huge relief for local residents. The Deputy Leader echoed the statement.

Resolved: (i) That the delivery of Staffordshire County Council's highways urban verge grass maintenance programme by the Sustainable Environment Directorate, be authorised.

(ii) That, to enable the above delivery, the employment of additional staffing resources and plant acquisition be authorised.

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9. AWARD OF THE CONTRACT FOR THE SUPPLY OF BEDDING PLANTS AND HANGING BASKETS

The Portfolio Holder for Sustainable Environment provided an update on the supply of bedding plants and hanging baskets.

The Leader welcomed the contract which contributed to sustainable planting and bedding changes which were a signature of the borough.

Cllr Skelding echoed the statement.

Resolved: That the contract to supply the Council with bedding plants and Hanging Baskets be awarded to Boverton Nurseries to commence in April 2024 for a period of 4 years up to April 2028.

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10. **HEALTH INEQUALITIES GRANT PROJECTS**

The Portfolio Holder for Community Safety and Wellbeing introduced the report on Health Inequality Grants Projects outlining the opportunity to bid for funding from Staffordshire County Council to enable the Council to deliver projects that meet the Health Inequalities agenda.

The Portfolio Holder for Leisure, Culture and Heritage gave an overview of the programmes that would benefit from such funding, highlighting the significant impact it would have on residents' physical and mental health.

Resolved: (i) That the submission of bids as set out in the report be accepted and acceptance of any funding allocated as part of the Covid Outbreak Management Funding (COMF) be approved.

(ii) That the Service Director for Regulatory Services in consultation with the Portfolio Holder for Community Safety and Wellbeing be authorised to spend the grant in relation to Housing and Health Hot-spot areas, entering into any agreements necessary to deliver the projects in line with the grant.

(iii) That the Deputy Chief Executive in consultation with the Portfolio Holder for Leisure, Culture and Heritage be authorised to spend the grant in relation to strengthening existing health and wellbeing programmes entering into any agreements necessary to deliver the projects in line with the grant.

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11. **FUTURE DELIVERY OF COMMUNICATIONS SERVICE**

The Leader introduced the report on the future delivery of Communications service, outlining the current position.

Resolved: (i) That it be agreed to contract with Staffordshire County Council to provide a full and resilient communications service to Newcastle Under Lyme Borough Council;

(ii) That the Service Director – Strategy, People and Performance, in consultation with the portfolio holder for One Council, People and

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Partnerships, be authorised to finalise the service specification and associated contractual arrangements to give effect to this decision.

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12. FORWARD PLAN

The Leader went through the Cabinet Forward Plan.

Resolved: That the Forward Plan be received and noted.

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13. URGENT BUSINESS

There was no urgent business.

14. DISCLOSURE OF EXEMPT INFORMATION

Resolved: That the public be excluded from the meeting during consideration of the following matter because it was likely that there would be disclosure of exempt information as defined in paragraphs 1, 2, and 7 in Part 1 of Schedule 12A of the Local Government Act, 1972.

15. SCALE OF FEES AND CHARGES - TRADE REFUSE CONFIDENTIAL APPENDIX

**Councillor Simon Tagg
Chair**

Meeting concluded at 3.00 pm