

COUNCIL

Wednesday, 20th September, 2023

Time of Commencement: 7.00 pm

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Present: Mayor - Councillor Simon White (Chair)

Councillors:	Adcock	Grocott	Richards
	Allport	Heesom	Stubbs
	Barker MBE	Holland	Sweeney
	Bettley-Smith	Fox-Hewitt	J Tagg
	Brockie	Hutchison	S Tagg
	Brown	Johnson	J Waring
	Bryan	D Jones	P Waring
	Burnett-Faulkner	Lawley	Whieldon
	Dymond	Northcott	Wilkes
	Edginton-Plunkett	Panter	G Williams
	Fear	Parker	J Williams
	Gorton	Reece	Wright

Apologies: Councillor(s) Beeston, Crisp, S Jones, Skelding and G White

Officers:	Geoff Durham	Civic & Member Support Officer
	Martin Hamilton	Chief Executive
	Simon McEneny	Deputy Chief Executive
	Sarah Wilkes	Service Director - Finance / S151 Officer
	Andrew Bird	Service Director - Sustainable Environment
	Barbara Beardwell	Interim Service Director - Legal & Governance /Monitoring Officer

1. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

2. **ALDERMAN EDDIE BODEN**

Members stood in silent tribute to the memory of Alderman Eddie Boden. Tributes were paid to Alderman Boden for his roles at the Council including as Councillor, Leader, Mayor and Alderman.

[Watch the tributes here](#)

3. **MINUTES OF A PREVIOUS MEETING**

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Resolved: That, subject to it being noted that the apologies given for Councillor Beeston at the previous meeting were for a brief leave of absence from her Council duties, the minutes of the meeting held on 26 July, 2023 be agreed as a correct record.

The apologies would cover all meetings on which Councillor Beeston serves, until further notice.

4. MAYOR'S ANNOUNCEMENTS

The Mayor made announcements on the following:

- Remembrance Sunday Parade and Church Service on 12th November starting at 9.30am
- Mock Mayor Making Ceremony on Sunday 19th November at 1pm.

5. ALLOCATION OF COMMITTEE SEATS TO POLITICAL GROUPS

The Leader introduced a report advising of changes to committee membership following changes in political group membership. The changes followed the by-elections held in Audley and Knutton wards on the 7th September.

Resolved:

- (i) That the changes to committee membership as set out in the report, be agreed;
- (ii) That the changes to Appointments to Outside Bodies as set out in the report, be agreed

[Watch the debate here](#)

6. TREASURY MANAGEMENT ANNUAL REPORT 2022/23

The Portfolio Holder for Finance, Town Centres and Growth introduced the Treasury Management Annual Report for 2022/23, which had been produced in line with legislative requirements.

Resolved:

- (i) That the Treasury Management Annual Report for 2022/23 be noted.

[Watch the debate here](#)

7. STATEMENT OF THE LEADER OF THE COUNCIL

The Leader presented the statement that had been circulated about the activities and decisions made by Cabinet to allow questions and comments.

Questions were raised and responses were provided as follows.

On paragraph 2 – Town Centre Regeneration Update

Councillor Panter asked the Portfolio Holder for Finance, Town Centres and Growth how finances would stack up with the creation of public open space, homes, offices and shops.

Councillor Sweeney stated that Cabinet had agreed to take on Capital and Centric to do the plans and business case for York Place. The Council would borrow money to develop York Place. Upon Completion, Capital and Centric would reimburse the money including any interest incurred by the Council and would run the shopping centre.

Councillor Dave Jones asked the Leader to confirm if the parking rates on the new car park would be charged in line with charges on Council car parks.

The Leader stated that the car parking charges would be standard but would not preclude any of the offers brought in on other car parks. The new car park would have to compete with other private car parks in the town.

Councillor Brockie asked why the Council could not just value engineer projects instead of sharing the risk with a joint venture delivery partner.

The Leader suggested that Councillor Brockie meet with Simon McEneny who could go through the details from the Cabinet report.

Councillor Holland asked the Leader for an update on the construction timetable for the car park.

The Leader stated that work should be starting on site within the next week or so. This would be a 44 week building project (Summer 2024) at which time the Midway would close and lead to the development of the Midway

Councillor Fox-Hewitt asked if Council could explore the viability of compulsory purchasing the Sky building and working with Capital and Centric to bring that project to fruition

The Leader stated that there were specific rules around compulsory purchase which would have to be met. Officers were continuously in touch with whoever was trying to gain control of the building.

Councillor Stubbs asked if the full market value or total cost that Capital and Centric would pay, included the value of the land.

A written answer would be provided for this.

On paragraph 3 – Medium Term Financial Strategy 2024/24 to 2028/29

Councillor Stubbs asked the Leader if he held the Efficiency Board or events at Westminster responsible for the shortfalls in the Strategy.

The Leader stated that the problems had come from inflationary issues related to the extended lockdown and the war in Ukraine. The issues had led to an increased pay award and an increased need for temporary accommodation. The Council would write to the Government and local MP's to make a case for adequate support.

Councillor Paul Waring asked the Portfolio Holder for Finance, Town Centres and Growth for an update on the current in-year revenue position of the Council.

Councillor Sweeney stated that, at the present time the Revenue budget was in a balanced position.

Councillor Brockie asked for a timeframe for the consultation process for the Asset Management Strategy with respect to the town centre car parks.

The Leader stated that Cabinet would be receiving a report on the full consultation process. The Efficiency Board was dealing with the budgetary issues.

Councillor Dave Jones felt that the budget had been mismanaged and asked what was in place to stop the gap in the budget from continually expanding.

The Leader reiterated that the Revenue budget was in a balanced position at the current time. With regard to the pay award, the Council budgeted for 4% but subsequently, inflation was higher than predicted. £10m had been saved since 2018 as well as enhancing services along the way.

Councillor Fox-Hewitt asked for assurance that the Council was on target to meet its carbon reduction commitment in 2030 and that finances were in place to resource the commitments.

The Leader stated that a report would be going to the October Cabinet setting out the Council's plan to get to net-zero. The MTFS already reflected this.

On paragraph 4 – Asset Management Strategy 2023-2028:

Councillor Allport asked the Leader for more information on the shared public services hub in Kidsgrove and what would happen to the existing one when services were transferred elsewhere.

The Leader stated that he could provide more information on how the hub would work and any ramifications for the Kidsgrove Town Council part at the Victoria Hall.

Councillor Bryan asked the Portfolio Holder if he was surprised that the Labour Group were against asset sales which would bring in much needed capital receipts, even though this administration had delivered the asset management sales previously put forward by the Labour group.

Councillor Sweeney stated that he was disappointed that the Labour group did not want to sell assets.

Councillor Grocott asked, in respect of Brick Kiln Lane, Chesterton, the exact location and what consultation had been done.

The Leader asked the Deputy Chief Executive to provide a plan for this. As these were just proposals, there had been no consultation as yet.

Councillor Dave Jones stated that the previous asset strategy was based on a list of assets that were put together by a group, created by a Motion by the Conservative Group and supported by other opposition groups and not by the previous Labour administration.

The Leader stated that the Asset Management Strategy was put together by Cabinet not Full Council. Councillor Jones had been referring to the Asset Committee that the Council used to hold. The Asset Management Strategy, inherited by the current administration had come from the previous Labour Administration.

Councillor Stubbs stated that, at the Board meetings, at no point was the hub discussed in detail. In addition, in the Strategy it stated that Kidsgrove Town Council would lease the shared services hub but there had been no consultation with Town Councillors, stakeholders or local residents. What was planned if the Town Council did not lease the building.

Councillor Paul Waring stated that, at no point had Kidsgrove Town Council agreed to lease the shared service hub. It was in the Strategy as a proposal only.

The Leader stated that there was a letter from the Town Clerk of Kidsgrove to that effect, sent in June which could be sent round to local Members.

On paragraph 6 – Delivery of a Homeless Hub:

Councillor Allport had some concerns regarding the scope of this as homelessness issues were now affecting families, not just individuals and also people with complex mental health needs. The Leader was asked if this had been taken into consideration.

The Leader stated that this was more about those individuals who present as homeless within the Borough, getting them off the streets into the accommodation. For families etc it would be more a 'temporary accommodation' matter.

Councillor Reece asked if, at the end of the 2025 funding round if further ongoing funding was unsuccessful would there be a contingency plan in place. In addition, the Council aims to end rough sleeping in the Borough by 2025. Would data be provided to show that this was on target.

The Leader stated that this was the Government's target. The initial funding had come from the Shared Prosperity Fund. It was hoped that whoever was in power following the General Election in 2024 would carry on the commitment and funding would be required to continue the establishments that would be set up.

Councillor Barker asked the Portfolio Holder for Community Safety and Wellbeing if she agreed that the facility would be operational, day and night providing access to healthcare and financial advice.

Councillor Heesom was pleased that funding had been gained for this 'Multi-Agent Assessment Centre with Accommodation'. Working with entrenched rough sleepers who were the most vulnerable people in our society today who found difficulty accessing services. The Hub would also be a one stop shop to support all those who were vulnerable.

Councillor Dave Jones had concerns that the Hub would become the equivalent of Adult Social Care for a Unitary/County Council and asked what steps were being taken against a surge in costs.

The Leader stated that every Council was asking that question. There was a lobbying tool where more funding could be requested. Local MP's would be approached to help with this. The matter had also been discussed at the Staffordshire Leader's Board which was held with other authorities across the County.

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Councillor Barker asked how the Council would deal with rough sleepers who did not want to be helped.

The Leader stated that there were amazing staff who worked on the front line to help those individuals with difficult circumstances.

On paragraph 7 – Future Delivery of Occupational Health Services:

Councillor Bettley-Smith asked the Leader if it was reasonable to anticipate that the new Sickness Absence Update report would result in improvement in the delivery.

The Leader stated that an item going to the next Finance, Assets and Performance Scrutiny Committee would offer a drill down into the facts, figures and history of sickness absence including the national picture. The new measures being put into place would be delivered as part of the new Occupational Health Service.

On paragraph 8 – Financial and Performance Review Report – First Quarter 2023/24:

Councillor Brockie asked for assurance that the stability and continuity of the Council's workforce would remain a priority when considering cost saving measures.

The Leader stated that new indicators took a while to bed down. There was a page of indicators in Councillor Hutchison's Portfolio that had not been reported due to the swap over but would be reported in the next quarter.

Councillor Dave Jones asked the Portfolio Holder for Sustainable Environment for an update on an issue with one of his residents. The resident had presented his recycling bin for emptying and the bin had not been returned. This had been reported over two months ago and no replacement had been provided. Councillor Jones if there were any replacement bins and if so, why a replacement had not been made.

Councillor Hutchison asked to meet with Councillor Jones after the meeting to gain the full details.

The Leader confirmed that there were many spare bins.

On paragraph 9 – Forward Plan:

Councillor Fox-Hewitt asked for confirmation that the Constitution had been amended to provide that his twitter account announces decisions of the Borough Council and not Cabinet or the Sovereignty of the Council.

The Leader deferred to the Sentinel reporter in the room who announced the decisions as and when they were happening. There were press releases and timescales and publicity was not unusual pending the Cabinet Decisions.

[Watch the debate here](#)

8. REPORTS OF THE CHAIRS OF THE SCRUTINY COMMITTEES

The report for the Health, Wellbeing and Environment Scrutiny Committee had been circulated with the agenda.

The other Scrutiny Committees had not met since the last meeting of the Full Council.

Resolved: That the report be received.

[Watch the debate here](#)

9. REPORTS OF THE CHAIRS OF THE REGULATORY COMMITTEES

A reports for the Licensing and Public Protection Committee was attached to the agenda. A verbal update was given for the Planning Committee detailing the items discussed at previous meetings.

The Audit and Standards Committee had not met since the last meeting of Full Council.

Resolved: That the reports be received.

[Watch the debate here](#)

10. MOTIONS OF MEMBERS

A Motion was received concerning Low Emission Zones and Low Traffic Neighbourhoods proposed by Councillor Holland and seconded by Councillor Simon Tagg.

An amendment to the Motion was tabled but following a vote, was defeated.

Following a debate on the original motion, a vote was taken.

In Favour (Y) – 27
Against (N) – 1
Abstain – 7

The Motion was carried.

[Watch the debate here](#)

11. QUESTIONS TO THE MAYOR, CABINET MEMBERS AND COMMITTEE CHAIRS

Two questions were received:

- 1) Question from Councillor Wilkes to the Portfolio Holder for Finance, Town Centres and Growth:

“Given the safety concerns raised about Reinforced Autoclaved Aerated Concrete (RACC). Can the Portfolio Holder update the council on the status of Council owned buildings in the borough?

I was pleased see that Sir Thomas Boughy Academy in my Ward took proactive remedial action to replace RAAC panels which were present in some roof constructions at the school. This was before the recent government announcement of a list of schools across the country containing RACC and a funding package for remediation. Does the Portfolio holder agree with me that

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Sir Thomas Boughey Academy should receive retrospect funding from the government to compensate them for the work already carried out?"

Councillor Sweeney stated that the buildings owned by the Council in the Borough had been reviewed and an engineer had confirmed that he had no concerns.

Councillor Sweeney stated that he absolutely did agree that the Academy should receive funding and this would be something that he and the Leader would take up with the local MP to take to Parliament.

2) Question from Councillor Brown to the Leader of the Council:

"On the 14th of September a category 2 non compliance breach was issued to WQ relating to issues with temporary capping across the site. This followed an unannounced inspection on the 19th June by the Environment Agency. The EA found that there had been a failure to install temporary clay capping to the flanks of Phases 1,2,3 & 4 and concluded that `there could be a significant impact on quality of life if not addressed promptly and adequately.` WQL issued a statement saying they did not accept these findings and will challenge them directly with the E.A.

Does the Leader of the Council share my concern that WQL may be falling back into the attitude of `denial` and the habit of disputing the findings of regulators?"

The Leader stated that Cabinet had received its monthly update yesterday and the Chief Executive had been questioned about issues relating to the Environment Agency, particularly the Category 2 breaches that had been announced. It had been queried whether they should have triggered taking legal/enforcement action by the Abatement Notice.

Securing the Abatement Notice took over a year and any prosecution would now take a higher burden of proof and would again be a lengthy process. In addition any enforcement of the Abatement Notice would need to be carried out in accordance with the Council's Enforcement Policy which focusses on an ongoing compliance. A statutory odour nuisance would have to be identified within the zones identified within the Abatement Notice and consideration would then be given as to whether the odour event was as a result of the best practical means on the site. Officers would then consider any such breach against the Council's Environment Policy which would require sequential use of power. If Officers felt that there was a strong case for enforcement they would not hesitate to approach the Secretary of State to take it forward to the courts.

Regarding the attitude of denial, the Leader felt that, dependent upon what meeting was being held with RED Industries, they went from continued denial to what was said in the Abatement Notice.

The Council could not take immediate action, a process had to be followed.

Councillor Brown asked a supplementary question stating that she was interested in the move back towards denial and uncooperative outward facing attitude of the company. A meeting was being held on 28th September. The

Leader was asked if he anticipated that this attitude would continue because the EA were due to present their findings there.

The Leader stated that within the Abatement Notice agreement, the Chief Executive had reported that the company were cooperative, giving the information required by the Council and allowing the Council to question them. Relating to the Liaison Committee to be held next week, The EA would report on the breaches and would be questioning them closely.

[Watch the debate here](#)

12. RECEIPT OF PETITIONS

No petitions were received.

13. URGENT BUSINESS

There was no urgent business.

14. DISCLOSURE OF EXEMPT INFORMATION

There were no confidential items.

**Mayor - Councillor Simon White
Chair**

Meeting concluded at 9.05 pm