

CABINET

Tuesday, 19th September, 2023
Time of Commencement: 4.00 pm

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Present: Councillor Simon Tagg (Chair)

Councillors: Sweeney Fear
Heesom Hutchison

Apologies: Councillor(s) J Waring

Substitutes:

Officers:	Martin Hamilton	Chief Executive
	Geoff Durham	Civic & Member Support Officer
	Simon McEneny	Deputy Chief Executive
	Sarah Wilkes	Service Director - Finance / S151 Officer
	Barbara Beardwell	Interim Service Director - Legal & Governance /Monitoring Officer
	Andrew Bird	Service Director - Sustainable Environment
	Rachel Killeen	Development Management Manager
	Roger Tait	Service Director - Neighbourhood Delivery

Also in attendance: Councillor Wendy Brockie

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 18th July be agreed as a correct record.

4. **WALLEYS QUARRY UPDATE REPORT**

The Leader introduced the Report on Wallys Quarry's odours raising the question of the recent breaches by the operator referred to in sections 3 and 4 and how this would impact the abatement notice.

The Chief executive presented the report and confirmed that the overall trend was still going in the right direction. The exceedance of the threshold noticed was a low level one and the Council was currently examining if there had been a breach of the

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abatement notice in April, May and June. If this was indeed the case the process would require to see whether the problems had been remedied in the meantime. Prosecution would be considered in the event of a continued failure to abide by the abatement notice and a linkage beyond reasonable doubt.

The Leader thanked the Chief Executive and commented on the powers of the Environment Agency to rectify the situation including requesting ceasing operation if required.

The Portfolio Holder for Strategic Planning shared his disappointment hearing about the breaches and suggested a letter be sent to the operator would the situation not be remedied by the end of the month.

The Chief Executive responded there was a regular dialogue with the operator and the liaison forum would be a good place to discuss the problem. The Leader confirmed that a meeting of the group was in fact just about to take place and that the recording would be shared online. The Deputy Leader expressed his confidence that matters would be discussed then.

The Leader added a note on the issue of lorries queuing in the morning which was to be resolved between the operator and the County Council.

Resolved: That the contents of the update report be noted.

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5. MEDIUM TERM FINANCIAL STRATEGY 2024/25 TO 2028/29

The Deputy Leader presented the Medium Term Financial Strategy with regard to the financial pressures facing the Council for the period running from 2024-25 to 2028-29, in particular the pay awards and temporary accommodations for vulnerable residents.

The Leader and the Portfolio Holder for Strategic Planning both supported the proposal to send a letter to the government to request funding to assist with these two additional pressures, copying in local Members of Parliament.

The Leader concluded by reminding members of the overall stability of the budget which was demonstrated in ongoing projects such as the regeneration of the town centre and the refurbishment of Kidsgrove Sports Centre.

Resolved:

- (i) That the funding pressures of £2.751m in 2024/25 and £5.082m over the 5-year period covered by the Medium-Term Financial Strategy (MTFS) be noted.
- (ii) That the approach regarding the development of savings and income generation proposals in the medium-term be agreed.
- (iii) That the continued uncertainty regarding the medium-term impact of local government funding and the Cost-of-Living crisis be noted.

Also, that it be noted that the Portfolio Holder for Finance, Town Centres and Growth would be writing to Central Government and Local MP's to lobby for funding to assist with the additional pressures in respect of the national pay award and temporary accommodation.

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6. PROCUREMENT OF A JOINT VENTURE DEVELOPMENT PARTNER

The Leader presented the report on the Procurement of a Joint Venture Development Partner and the appointment of Capital and Centric for York Place and Midway regeneration projects.

The Deputy Leader expressed his support for the proposal, outlining the benefits of the financial aspects. The Portfolio Holder for Strategic Planning and the Portfolio Holder for Leisure, Culture and Heritage also wished to endorse it.

Clarification was requested about which safeguards were in place to protect the Council's financial reputation against the uncertainty of costs and benefits. – The Deputy Leader reiterated that Capital and Centric would be purchasing the asset thus removing the financial costs of the borrowing as well as risks related to under occupancy.

The Leader mentioned that a chain of pub had shown an interest in York Place. The Deputy Leader confirmed that a brewery wished to be involved in the centre, which was the potential for another project at a later stage.

Resolved:

- (i) That the progress made to date with the procurement exercise for the Joint Venture Development Delivery Partner redevelopment plans for key town centre sites be noted.
- (ii) That the benefits of the Capital and Centric operating model as set out in Paragraph 2.14-2.21 of this report be noted.
- (iii) That the procurement through a direct award under the Pagabo Development Management Framework of Capital and Centric, be agreed, to develop plans and development business cases for the York Place and Midway Car Park sites, at a cost not exceeding £256,500.
- (iv) That the Deputy Chief Executive, in consultation with the Portfolio Holder for Finance, Town Centres and Growth, and Portfolio Holder for One Council, People and Partnerships be authorised to progress discussions with third parties for the sale or lease of a portion of the York Place site.
- (v) That the Deputy Chief Executive, in consultation with the Portfolio Holder for Finance, Town Centres and Growth, and Portfolio for One Council, People and Partnerships be authorised to undertake the necessary preparatory work for the closure of the Midway Carpark in autumn 2024.

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7. ASSET MANAGEMENT STRATEGY

The Deputy Leader introduced the report on the Asset Management Strategy.

The Leader welcomed the report which was the second one since 2017 and commented on the importance of car parking spaces for businesses.

The Portfolio Holder for Strategic Planning commended the report which seemed to be good and solid.

Resolved:

- (i) That the Asset Management Strategy 2023-2028 be approved
- (ii) That the Deputy Chief Executive, in consultation with the Portfolio Holder for Finance, Town Centres and Growth, be given delegated authority to develop a disposal programme and to undertake consultation on the disposal of sites as set out in the Asset Management Strategy 2023-2028.
- (iii) That the Strategy be considered by the Finance, Assets and Performance Scrutiny Committee in September and feedback be provided to the Portfolio Holder for Finance, Town Centres and Growth.

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8. LOCAL PLANNING ENFORCEMENT PLAN

The Portfolio Holder for Strategic Planning introduced the report on the Local Planning Enforcement Plan with a reference to the government saying that having a proper enforcement policy established public confidence in the planning system. The document set out clearly what could and could not be done with enforcement and the portfolio holder wished to commend it.

The Leader supported the statement pointing out that there was two sorts of enforcement roles at the Council, the first one being that of the Sustainable Environment Portfolio, the second one being Strategic Planning.

The Deputy Leader also wished to endorse the proposal, as well as the Sustainable Environment Portfolio Holder who thanked the Deputy Chief Executive and the Strategic Planning Portfolio Holder and added a note on the importance of compliance with national guidance and best practice.

Resolved: That a new Planning Enforcement Plan for the Borough, as attached at Appendix 1 to the report, be approved and adopted.

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9. PROGRESSION OF THE SHARED PROSPERITY FUNDED AND SUPPORTED PROJECT TO DELIVER A HOMELESS HUB

The Portfolio Holder for Community Safety and Wellbeing presented the report on progress made in relation to the Shared Prosperity funded project to deliver a Homeless Hub.

The Leader commented that this was not just about one night accommodation but about ongoing support to help the most vulnerable relaunch their life.

Resolved:

- (i) That the Deputy Chief Executive in consultation with the portfolio holders for Community Safety and Wellbeing and Finance, Town Centres and Growth, and One Council, People and Partnerships be delegated authority to enter negotiations to acquire (purchase or lease independently or with partners) a property for the homeless hub and complete any related property transactions.
- (ii) That the Service Director / Deputy Chief Executive in consultation with the portfolio holder for Finance, Town Centres and Growth be delegated authority to submit a planning application for any changes required and secure any related permissions in relation to the homeless hub if necessary.
- (iii) That the Deputy Chief Executive in consultation with the portfolio holder for Finance, Town Centres and Growth be delegated authority to procure and award contracts necessary for any building alterations necessary for the future use of the homeless hub.
- (iv) That the Service Director in consultation with the portfolio holders for Community Safety and Wellbeing be delegated authority to procure provision for the operation of the homeless hub up to 2025.
- (v) That such updates on the Homeless Hub continue to be received, including proposals for operation beyond the current 2025 funding provision.

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10. FUTURE DELIVERY OCCUPATIONAL HEALTH SERVICE

The Leader introduced the report on the procurement of a renewed occupational health service which appeared timely in light of the rising cases of sickness absences both within the Council and at national level.

Resolved:

- (i) That the multi stranded requirement for a robust, support and accessible service to support staff and maintain their own wellbeing and that of their colleagues be noted.

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- (ii) That the Council conduct a procurement exercise to re-tender for a service to provide the service
- (iii) That authorisation to award contract following tender evaluation be delegated to the Chief Executive in conjunction with the Service Director of Strategy, People and Performance

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11. FINANCIAL & PERFORMANCE REVIEW REPORT - FIRST QUARTER 2023/24

The Deputy Leader presented the Financial Performance review report, in particular the Revenue Budget which showed that the Council was in a much better position than it was the previous year.

The Leader then introduced the Performance Indicators. The Portfolio Holders went through the figures pertaining to their respective portfolio.

Following up on the 4th Priority the Leader concluded with a note on the vibrant town centre and multi award winning market which was now thriving compared to the less favourable situation it was in five years earlier.

Resolved: That the contents of the attached report and appendices be noted, and the Council's service and financial performance for this period continue to be monitored and challenged.

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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

There was no disclosure of exempt information.

**Councillor Simon Tagg
Chair**

Meeting concluded at 5.21 pm