

CABINET

Tuesday, 23rd April, 2024
Time of Commencement: 2.00 pm

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Present: Councillor Simon Tagg (Chair)

Councillors: Sweeney Fear Hutchison
Heesom Skelding

Officers: Geoff Durham Civic & Member Support Officer
Simon McEneny Interim Chief Executive
Sarah Wilkes Service Director - Finance /
S151 Officer
Andrew Bird Service Director - Sustainable
Environment
Anthony Harold Service Director - Legal &
Governance / Monitoring Officer
Paul Dutton Senior Media Officer
Georgina Evans-Stadward Service Director - Strategy,
People and Performance

1. DECLARATIONS OF INTEREST

There were no declarations of interest stated.

2. MINUTES OF PREVIOUS MEETINGS

Resolved: That the Minutes of the meeting held on the 19 March, 2024 be agreed as a correct record.

3. WALLEYS QUARRY - ODOUR ISSUES

The Leader introduced an update report on Walleys Quarry looking at the complaints, monitoring information, actions of the Environment Agency (EA) and the Borough Council.

The Interim Chief Executive referred Members to section 2 of the report, stating that complaints in January had been high, peaking in February and since then there had been a reduction – with just twenty in March. It was good to see that the MMF at Silverdale Road had now been replaced.

Since the last update, Council had received a report that there had been a breach of the Abatement Notice and it had been resolved that the Council would now start to prepare appropriate legal proceedings, which was now ongoing.

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There had been some data collated since the completion of works by Walleys Quarry which had been required by the EA as part of the Suspension Notice. They had also installed additional Geo-Membrane.

In terms of the EA update, there had been no compliance assessment reports issued and in terms of the H2S data adjustment, the EA provided an update statement confirming that a report was yet to be published.

The Leader stated that, although complaints were down there were still reports of odours and urged members of the public to continue reporting. The big news was that the Council had identified a breach in the Abatement Notice. This had been reported to Full Council on 10 April and the Leader asked what the latest position was on that.

The interim Chief Executive stated that officer had been talking to lawyers and the King's Council regarding the next steps. The next stage is to issue a letter to the Secretary of State for permission to undertake legal action against Walleys Quarry.

The Leader stated that the Secretary of State should be asked to grant permission as soon as possible so that a case for legal action could be prepared for the breach of the Abatement Notice.

Members welcomed the actions taken in respect of the next stage.

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

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4. CORPORATE PEER CHALLENGE PROGRESS REVIEW VISIT

The Leader introduced a report which provided the final report from the LGA's Corporate Peer Challenge Progress Review visit that took place in January.

The report was a good endorsement of the direction that the Council was taking and as part of that, there had been a return visit to do a follow up report noting actions that the Council had taken, particularly on regeneration where timelines were now in place for the developments at York Place, The Midway and the Ryecroft. There was praise in the report for the way in which the council had changed internally – providing better services for residents.

The Cabinet Members outlined the points within the report that related to their Portfolios and commented upon the work of the staff and the strength of morale.

The Leader stated that going forward, the Council's Sustainability Agenda and Net Zero by 2030, target would be focussed upon over the next few years.

Resolved:

- (i) That the Local Governments Association's Peer Challenge progress review report, be noted.
- (ii) That the report be published on the Council's website in line with LGA requirements.

[Watch the debate here](#)

5. GRASSLAND MANAGEMENT STRATEGY AND PLAN

The Portfolio Holder for Sustainable Environment introduced a report seeking approval for the Grassland Management Strategy and Plan.

The Plan aimed to increase biodiversity and nature recovery levels within the Borough which would contribute to the Council's Net-Zero goals by reducing the amount of fuel used by the Council and increasing grasslands.

Members' attention was drawn to paragraph 3.4 of the report which set out the three phases of the Strategy and paragraph 3.5 which set out the six policy areas.

A selection of sites would be part of the 'No Mow May' scheme. The sites were outlined at paragraph 3.6 of the report.

The Leader stated that the report pointed out that this Council was one of the front runners in this area, across the County and set out better management of the Council's grasslands. Since taking on the grass cutting contract, the Council was more in control, ensuring that thoroughfares in the streets could be kept better mowed.

- Resolved:**
- (i) That the Grassland Management Strategy and Plan, be approved
 - (ii) That the selected sites for the national 'No Mow May' campaign in consultation with local Borough Council Members, be approved.

[Watch the debate here](#)

6. **ASSET DISPOSAL - APEDALE BUSINESS PARK**

The Portfolio Holder for Finance, Town Centres and Growth introduced a report seeking approval to dispose of land at Apedale Business Park on Watermills Road for industrial development. The Land had not previously been listed in the Asset Management Strategy for disposal but a local business had expressed an interest.

In accordance with Council procedures, the site had been advertised for sale and upon receipt of offers the land could be sold to the highest bidder.

- Resolved:**
- (i) That the disposal of the land at Apedale Business Park, Watermills Road, Chesterton for Industrial development purposes, be approved.
 - (ii) That the Interim Chief Executive, in consultation with the Portfolio Holder for Finance, Town Centres and Growth, be authorised to complete the disposal of the land at Watermills Road, Chesterton.

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7. **IRRECOVERABLE ITEMS 2023/24**

The Portfolio Holder for Finance, Town Centres and Growth introduced a report considering items deemed irrecoverable. The total debt to be written off was

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£175,614 and was made up of £42,420 sundry debtors and £133,194 in respect of national non-domestic rates. Members were referred to paragraph 8.3 of the report which outlined the Council's share of the write off as being £53,278.

A confidential appendix accompanied this report which would be discussed in closed session at the end of the meeting.

The Leader stated that, if information did come to light in the future regarding any of the written off items, they could be reopened and pursued.

Resolved: That the items details at Appendix 1 be considered irrecoverable for the reasons stated and be written off.

[Watch the debate here](#)

8. FORWARD PLAN

The Leader went through the Cabinet Forward Plan

Resolved: That the Forward Plan be received and noted.

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9. URGENT BUSINESS

There was no Urgent Business.

10. DISCLOSURE OF EXEMPT INFORMATION

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

11. IRRECOVERABLE ITEMS - CONFIDENTIAL APPENDIX

The items contained within the confidential appendix, which related to item 8 on the agenda, were discussed.

Resolved: That the confidential appendix be received and noted.

**Councillor Simon Tagg
Chair**

Meeting concluded at 2.36 pm