

COUNCIL

Wednesday, 25th September, 2024

Time of Commencement: 7.00 pm

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Present: Mayor - Councillor Barry Panter (Chair)

Councillors:	Adcock	Grocott	Skelding
	Barker MBE	Heesom	Stubbs
	Beeston	Holland	Sweeney
	Berrisford	Fox-Hewitt	J Tagg
	Bettley-Smith	Hutchison	S Tagg (Leader)
	Brown	Johnson	J Waring
	Bryan	D Jones	P Waring
	Burnett-Faulkner	Moss	Whieldon
	Crisp	Northcott	Whitmore
	Dymond	Parker	Wilkes
	Fear	Reece	G Williams
	Gorton	Richards	J Williams

Apologies: Councillor(s) Brockie, Edginton-Plunkett, S Jones, Lawley, Lewis and Wright

Officers:	Gordon Mole	Chief Executive
	Simon McEneny	Deputy Chief Executive
	Anthony Harold	Service Director - Legal & Governance / Monitoring Officer
	Sarah Wilkes	Service Director - Finance / S151 Officer
	Nesta Barker	Service Director - Regulatory Services
	Andrew Bird	Service Director - Sustainable Environment
	Georgina Evans-Stadward	Service Director - Strategy, People and Performance
	Geoff Durham	Civic & Member Support Officer

1. DECLARATIONS OF INTEREST

Although a Member declared an interest in claiming the Winter Fuel Allowance, the Service Director- Legal & Governance / Monitoring Officer advised that, in line with national guidance, any Member receiving the Allowance could still take part in the debate at item 11 of this agenda.

2. MINUTES OF A PREVIOUS MEETING

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Resolved: That the minutes of the meeting held on 24 July, 2024 be agreed as a correct record.

3. MAYOR'S ANNOUNCEMENTS

The Mayor made announcements on the following:

The Mayor welcomed the opening of a new production, 'The Company of Wolves' at the New Vic Theatre.

The Mayor was holding a charity event at Holditch Miners Club on 12th October and would appreciate Members' support.

The Remembrance Sunday Parade would take place on Sunday 10th November and again called on Members' support for the event.

4. ANNUAL REPORT 2023/24

The Leader introduced a report on the Council's Annual Report for 2023-24 which provided a summary of work and outcomes achieved during the first year of the Council's 2022-2026 Council Plan. A link to the Annual report was included within the report.

The Leader outlined some of the achievements of the past year which included a year long celebration of community events for the Borough's 850th anniversary of its Royal Charter; the commissioning of a statue of the late Queen Elizabeth II which would be installed in the Queens Gardens next month; becoming National Champions at Britain in Bloom Awards; Progress was made with the One Council Programme.

Councillor Sweeney pointed out that the Peer team continued to be impressed with how the Council managed its finances and found that the Council had strong leadership, financial stability and was poised to deliver once in a lifetime regeneration projects.

Resolved: (i) That the Council's Annual Report for 2023-24 be received.

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5. WALLEYS QUARRY COMMITTEE OF INQUIRY REPORT

Consideration was given to a report setting out the findings and recommendations of a Scrutiny Committee of Inquiry following a Council resolution to undertake a public hearing.

The Chair of the Committee of Inquiry, Councillor Bettley-Smith introduced the report stating that the Committee had met on five occasions prior to the first inquiry day which took place on 23 July. A second Inquiry took place on 14 August. The findings of the Committee were listed on page 28 of the agenda report. And the recommendation were listed at page 33 of the report.

It had been reported in a Parliamentary debate that Walleys Quarry was the worst performing landfill site in the country.

Councillor Dave Jones stated that the impact of Walleys Quarry on residents had been the Council's primary focus for several years and the odours continued to have a detrimental impact on people's health. Public Health and the UK Health Security Agency had stated that the levels of H2S in the environment surrounding the site was of a concentration that would impact on human health, both physically and mentally.

The Leader stated that the report had been built on vigorous analysis, community input and expert guidance. It could now be used by the Council to push for closure of the quarry and capping of the site and holding the Environment Agency to account for their failings. The report should go to the Office for Environmental Protection for them to investigate. It should also go to the new government and the new Secretary of State as the Council still wished to see a public inquiry.

Councillor Sweeney questioned what the point was of the Environment Agency if they could not deal with issues such as this.

Councillor Whieldon stated that no representative from Walleys Quarry was present throughout the Inquiry but they had put something in writing which stated 'we note that the UK Health Protection Agency concluded in a recent study that living close to a well-managed landfill site does not pose a significant risk to human health. We work hard to ensure our operators do not impact local communities'. This quote suggested that with the report of the Committee of Inquiry and all of the medical responses – Walleys Quarry was not a well-managed site.

Councillor Fox-Hewitt stated that some of the witness testimonies had been shocking and upsetting. There was a need for all who were responsible – the operators and agencies to be held accountable.

Councillor Adcock stated that there had been many opportunities to resolve the matter sooner if the right people had been listened to. Local doctors had not been listened to regarding the health impacts of raising the tonnage; local campaigners had raised concerns about illegal dumping occurring; people had previously raised concerns about the risk of fire. What was needed now was for people to be listened to.

Councillor Brown stated that she had met a lady, completely by accident, who lectured in waste management and she had a slide referring to Walleys Quarry entitled 'what can happen when things go badly wrong'.

Councillor Parker stated that the smell was becoming part of the norm. In addition, lorries were parked along Cemetery Road and Silverdale Road early in the morning, waiting for the site to open.

Councillor Fear referred to a Task and Finish Group that he chaired many years ago and never thought that it would still be an issue today. A public inquiry was still needed and deserved.

In summing up, the Leader stated that the report united everyone and was a call to action. It was key that the recommendations in the officer's covering report were implemented and taken forward and the Leader stated that he would ensure that the report went with enforcement to the Environment Agency and the Office for Environmental Protection.

Resolved: (i) That the report of the Committee of Inquiry at Appendix 2, be received.

- (ii) That the recommendations in the report be noted.
- (iii) That authority be delegated to the Council's Chief Executive to implement agreed actions as they relate to the Borough Council in consultation with the relevant Portfolio Holders, and that the Chief Executive liaises with the necessary external authorities for their actions.
- (iv) That updates on progress against recommendations be provided regularly to Cabinet and the relevant Scrutiny Committees.
- (v) That Full Council receives further updates as required on actions

[Watch the debate here](#)

6. **TREASURY MANAGEMENT ANNUAL REPORT 2023/24**

The Portfolio Holder for Finance, Town Centres and Growth introduced the Treasury Management Annual Report for 2023/24, which had been produced in line with legislative requirements.

Councillor Stubbs asked the Portfolio Holder if the report could be modernised with the possibility of sections 5 and 6 being localised. In addition, referring to the actual interest income amounted to £1.3m, the Portfolio Holder was asked where in the MTFs the amount was reflected.

The Leader stated that the request to modernise the report would be taken on board. Regarding the interest amount, the Leader stated that the Council's Finance Officer would update Councillor Stubbs on that matter.

Resolved: (i) That the Treasury Management Annual Report for 2023/24 be noted.

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7. **STATEMENT OF THE LEADER OF THE COUNCIL**

The Leader, Councillor Simon Tagg presented the statement that had been circulated about the activities and decisions made by Cabinet to allow questions and comments. Reference was made to the Council's Annual Report and the Leader stated that this Council 'made things happen' and this Statement reflected that.

Questions were raised and responses were provided as follows.

On paragraph 2 – Medium Term Financial Strategy 2025/26 to 2029/30

Councillor Stubbs stated that Appendix A went to the Finance, Assets and Performance Scrutiny Committee and showed £100,000 for restructuring. The Portfolio Holder was unable to provide details for it. Would the Leader be able to provide details. Also, given the average public sector pay awards, was the Leader happy with the proposal in the MTFs as it did not seem to be overly prudent.

The Leader stated that the restructuring was to build capacity in the legal team.

The Portfolio Holder for Finance, Town Centres and Growth stated that the Council's Section 151 Officer had meetings with other 151 officers across the County who discussed what they felt would be an appropriate figure.

Councillor Holland welcomed the MTFs and was struck by how positive the outcome was. Reference was made to the One Council Programme and its success in bringing savings to the Council and transforming the way the Council worked.

On paragraph 3 – Bradwell Dingle Play and Recreational Facility Improvements

Councillor Fox-Hewitt asked the Leader for assurance that all ward councillors would be involved in any meetings with partners or consultants regarding the dingle.

The Portfolio Holder for Sustainable Environment confirmed that it would be a good idea to get both the ward councillors and Friends of Bradwell Dingle involved.

The Leader stated that a commitment to include local members was made at Cabinet. A consultation had also taken place to include local residents.

On paragraph 5 – North Staffordshire Local Air Quality Plan

Councillor Gorton asked if the Basford Bus Gate had now been abandoned and also asked the Leader for the schemes and measures that would be put in place to improve air quality along Basford Bank.

Councillor Holland stated that earlier in the year, the government minister at the time had said that there was no longer a need for a bus gate and it would therefore be scrapped. Councillor Holland wondered if the new government were of the same opinion as he was concerned that they would take a different view and reintroduce it.

Councillor Reece asked why councillors from the Wolstanton ward had not been briefed on the work that had been undertaken by this Council, Stoke on Trent City Council or Staffordshire County Council and why hadn't the Health, Wellbeing and Environment Scrutiny Committee been provided with any updates.

The Leader stated that the issue had been in flux for a number of years and had now reached a point where it would not need to be put in place. Members were advised that Stoke on Trent City Council took a confidential report to their Cabinet on the preferred solution which would then be submitted to the government for a business case. Members would be able to view the confidential report that went to Newcastle's Cabinet meeting. Once more information was known, it would go through Cabinet and Scrutiny.

The Leader stated that during Covid, the traffic levels dropped and the levels had not returned to pre-Covid levels and therefore there were not the air quality issues on Basford Bank that had been there before.

On paragraph 6 – Quarter 1 Finance and Performance Report 2024/25

Councillor Parker asked the Portfolio Holder for Sustainable Environment for details on the increases in collection rates.

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The Portfolio Holder referred to the Annual Report at item 5 of this agenda stating that 48% of the waste had been sent for reuse/recycling or composting. In the Finance and Performance Report this had been increased by 5% taking recycling up to 53% and residual waste being at 47% going to incineration. Garden waste collection was also up. Forty seven percent of households were participating in food waste collection with 2,900 tonnes being collected in the past year.

Councillor Stubbs asked what measures were being taken to establish why the sickness rate figure was higher than the target. Also, the Leader or Portfolio Holder were asked to comment on the percentage of complainants informed within the required timescales of any action.

The Leader stated that sickness figures were heading in the right direction but there were still issues with staff trying to get hospital appointments. Policies were in place which HR were enforcing to ensure that the Council was doing all it could to help members of staff get back into work.

The Portfolio Holder for Strategic Planning stated that it was always disappointing to see indicators dip. However, some enforcement issues did take a lot of time due to complex issues or legal arguments for example. It was hoped that the new Enforcement Policy would push things in the right direction.

The figures did not include informal resolutions of problems and the Portfolio Holder was looking to try and capture that.

On paragraph 7 – Borough Local Plan Regulation 19 Consultation

Councillor Bryan asked the Portfolio Holder for Strategic Planning how the governments new housing figures would affect the local plan.

Councillor Whitmore asked the Portfolio Holder for Strategic Planning how this Council could ensure that housing estates would not be built on the Borough's green spaces.

Councillor Crisp stated that if the local plan had not been agreed at the previous meeting of Full Council, the housing figures for the Borough would have fallen under the new government's NPPF housing calculations.

The Portfolio Holder for Strategic Planning, at a recent scrutiny committee, had been asked what he had been most worried about regarding the local plan and his concern had been that the incoming government would change the rules and the figures. This had now occurred but because this Council had moved promptly there would be no affect.

Regarding the green spaces, the local plan preserved them. A lot of areas had become carbon capture areas which, in the past had been scheduled for housing.

Councillor Dave Jones asked what proportion of the total land in the local plan designated for housing or employment was currently in the Green Belt.

The Portfolio Holder stated that he would forward the information to Councillor Jones as he did not know the answer at this time. However, the Council had tried its best to prioritise Brownfield sites but government figures had not made it possible to develop entirely on those sites.

Councillor Parker asked, when all submissions had been forwarded to the independent government Planning Inspector, did the Leader or Portfolio Holder have an idea of when the results would be known.

The Portfolio Holder stated that this would depend upon how the Planning Inspectorate felt about the robust nature of the Plan.

The Leader stated that the decision made at the last Council meeting had been the correct one as, if it had not been passed, the housing quota numbers would have been a lot higher.

On paragraph 8 – Queen Elizabeth II Statue

Councillor Whieldon asked the Leader if he agreed that the unveiling of the statue would be a proud moment for the Borough. The design, being at ground level would invite interaction and serve as a lasting legacy to the late Queen.

The Leader agreed and stated that the unveiling would be an excellent occasion. It was a good link to the Borough's 850th Celebrations last year as it tied in with Queen Elizabeth II's visit to the Borough in 1973. The statue would be unique to Newcastle.

On paragraph 9 – Heart of England in Bloom awards success

The Portfolio Holder for Sustainable Environment stated that he was extremely proud of this achievement of securing the 33rd consecutive gold award.

Councillor John Williams said that the Queens Gardens were the pride of the Borough. However, reference was made to the state of grass cutting in Douglas Road, Cross Heath.

The Leader stated that this year the Council had partnered with the BID and entered a new category and won gold plus had been the category overall winner and were now through to the finals.

Referring to the grass cutting in Douglas Road. As part of the Grass Management Strategy, that area of grass had been left long deliberately to promote nature. However, he agreed that the area did look a bit too neglected and at the end of the current growing season, local members would be included in a review of the site.

On paragraph 10 – Forward Plan

Councillor Dave Jones asked about the availability of reports and background papers in a suitable timeframe ahead of meetings. The Leader was asked if he agreed that all papers and reports for any council meeting should be made available seven days ahead of meetings to enable Councillors to be prepared for them.

The Leader agreed on the principle but sometimes there were cases where the latest information was awaited in order for Members to receive the most up to date position. The comment was taken on board in respect of future reports.

[Watch the debate here](#)

8. REPORTS OF THE CHAIRS OF THE REGULATORY COMMITTEES

Reports for the Audit and Standards Committee, Licensing and Public Protection Committee and the Planning Committee were attached to the agenda.

Resolved: That the reports be received.

[Watch the debate here](#)

9. MOTIONS OF MEMBERS

A Motion was received concerning changes to winter fuel payments and protecting pensioners from fuel poverty, proposed by Councillor Holland and seconded by Councillor Simon Tagg.

Following a debate, a named vote was taken.

ADCOCK	Y	GORTON	Y	RICHARDS	Y
ALLPORT	ABSENT	GROCOTT	Y	SKELDING	ABSENT
BARKER	Y	HEESOM	Y	STUBBS	Y
BEESTON	Y	HOLLAND	Y	SWEENEY	Y
BERRISFORD	Y	HUTCHISON	Y	J TAGG	Y
BETTLEY-SMITH	Y	JOHNSON	Y	S TAGG	Y
BROCKIE	ABSENT	D JONES	Y	J WARING	Y
BROWN	Y	S JONES	ABSENT	P WARING	Y
BRYAN	Y	LAWLEY	ABSENT	WHIELDON	Y
BURNETT-FAULKNER	Y	LEWIS	ABSENT	WHITMORE	Y
CRISP	Y	MOSS	Y	WILKES	ABSENT
DYMOND	Y	NORTHCOTT	Y	G WILLIAMS	Y
EDGINGTON-PLUNKETT	ABSENT	PANTER	Y	J WILLIAMS	Y
FEAR	Y	PARKER	Y	WRIGHT	ABSENT
FOX-HEWITT	Y	REECE	Y		

In Favour (Y) – 35

Against (N) - 0

Abstain – 0

The motion was carried

[Watch the debate here](#)

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

Question from Councillor Dave Jones to the Portfolio Holder for Strategic Planning

“My question relates to action to be taken by the Council at 5 Boggs Cottages, where personal permission was granted, at appeal, for the landowner and family to reside at the site following discharge of a number of conditions. Under the appeal, the conditions of granting permission required discharge of drainage details, provisions for facilities for water and sewerage by the 20th March 2023. The Council has since refused to discharge these conditions. Given that the deadline for meeting these conditions was nearly 18 months ago, can the Portfolio Holder outline when the Council will take action over the failure to meet planning conditions.”

The Portfolio Holder for Strategic Planning stated that the planning permission in question was granted on appeal by the Planning Inspectorate and subject to a number of conditions. It had become clear that compliance with the condition to provide a satisfactory drainage solution raised some technical issues which to date the owner had been unable to overcome. Consequently, the Council had not been able to discharge this condition. In terms of subsequent enforcement action the Council had to consider a number of factors including what options would be available to enable the applicant to achieve an appropriate drainage scheme but also what the actual impact and harm of there being no drainage scheme in place was having on local residents/environment.

At the same time officers had been considering matters, they had also engaged legal advice. In the light of national guidance and the Council's own approved Enforcement Policy the Council were obliged to assess the harm caused by the lack of an approved drainage scheme on the local residents and environment. If no valid reasons could be put forward then arguably it would not be expedient to pursue any enforcement action.

Councillor Jones asked a supplementary question:

“Having spoken to the Planning Inspectorate he had been informed that the Council could take action as of 20 March, 2023. Would the Portfolio Holder commit to taking action now, rather than later”.

The Portfolio Holder stated that part of the problem was with regard to the discharge of a particular condition. Advice so far had been that the condition could not be discharged at this point in time. Advice would need to be taken from lawyers regarding that but gave an undertaking that he would put that question to them and would report back to Councillor Jones.

Question from Councillor Paul Northcott to the Portfolio Holder for Strategic Planning

“There has been coverage in the media about the resurrection of plans for a ‘high-speed’ rail link between Birmingham and Manchester. This would follow the same route as HS2 through Newcastle Borough affecting both my Borough Ward and County Division.

Does the Portfolio Holder agree with me that such a move would be a hammer blow to residents along the proposed route in Whitmore & Madeley who were relieved that HS2 had been scrapped by the previous Conservative Government, and like HS2 this latest proposal has no benefits for the rural area or the borough as a whole? “

The Portfolio Holder stated that attempts were being made to resurrect what effectively would be a high speed route from Lichfield to the north west mirroring

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much of the previously planned HS2 Phase 2a route, which had been abandoned. New plans had emerged and a report had duly been prepared by a consortium of private sector organisations and was published recently.

Any high speed link would not be to the benefit of this borough, its residents or the environment. The impacts would be such that communities would likely be adversely affected and large areas of existing countryside would be taken up by the route and its related infrastructure. The plans now being talked about would likely have the same effects and bring no benefits and indeed cause further harm to those communities impacted by the original plans and associated works.

Councillor Northcott asked a supplementary question:

“Would the Portfolio Holder write to Adam Jogee MP to gain his opposition towards any resurrection of plans for the high speed rail link and to oppose any other attempts to resurrect any similar schemes”

The Portfolio Holder confirmed that he would do that.

[Watch the debate here](#)

11. RECEIPT OF PETITIONS

There were no petitions.

12. URGENT BUSINESS

There was no urgent business

13. DISCLOSURE OF EXEMPT INFORMATION

There were no confidential items.

14. REPORTS OF THE CHAIRS OF THE SCRUTINY COMMITTEES

The reports for the Health, Wellbeing and Environment Scrutiny Committee, Economy and Place Scrutiny Committee and Finance Assets and Performance Scrutiny Committee had been circulated with the agenda.

Resolved: That the reports be received.

[Watch the debate here](#)

**Mayor - Councillor Barry Panter
Chair**

Meeting concluded at 9.45 pm