

EAST STAFFORDSHIRE BOROUGH COUNCIL

Minutes of a Meeting of the Cabinet held in the Coltman VC Room at the Town Hall, Burton upon Trent on Monday 13th September 2021.

Present:

Councillors D Goodfellow (Chairman), G Allen, Mrs B Ashcroft and B G Peters.

Officers Present:

The Chief Executive, the Heads of Service (Sal Khan and Mark Rizk), the Monitoring Officer, the Chief Accountant, the Corporate and Commercial Manager, the Planning Manager, the Communities and Open Spaces Manager, the Environment Manager, the SSC Manager (HR, OD and Payments) and the Principal Democratic Services Officer.

Also Present:

Cabinet Support Members Councillors M Metcalfe and S Sankey.

An apology for absence was received from Councillor R A Faulkner.

PART II

197/21 **DECLARATIONS OF INTEREST**

There were no declarations of interest at the commencement of the meeting.

198/21 **MINUTES**

Resolved:

That the public minutes of the meeting held on 16th August 2021 be approved as a correct record.

Voting concerning the above decision was as follows:

Those voting for the motion Councillor	Those voting against	Those abstaining
G Allen		
Mrs B Ashcroft		
D Goodfellow		
B G Peters		

199/21 **URGENT BUSINESS**

There was no urgent business for consideration at the meeting.

200/21 **FORWARD PLAN**

The Forward Plan for the period 1st September to 31st December 2021 was submitted for information.

NOTED.

201/21

QUARTER 1 REVENUE AND CAPITAL OUTTURN 2021/22

The report of the Head of Service on the forecast outturn position in relation to the Council's revenue budget, capital programme or expenditure, treasury and risk management activities was considered. The following appendices had been circulated with the report:

- Appendix A: Forecast variances against budget at outturn 2021/22;
- Appendix B: Investments at 30th June 2021;
- Appendix C: Corporate and Strategic Risks – Quarter 1 2021/22

Cabinet noted that the budget for 2021/22 of £13.371m included a corporate provision of £1.3m towards Covid-19 pressures and was balanced by taking into account £1.1m from reserves. It was highlighted that there remained significant forecast net pressures against the pre-Covid-19 service budgets and that after taking into account corporate budgets, including the provision for Covid-19 pressures, this resulted in an overall reduction in the need to draw down from reserves of £0.5m (from £1.1m to £0.6m).

The reasons for making the decision below were set out in the report.

Resolved:

- 1) That the forecast financial position at quarter one of 2021/22 in relation to revenue and capital budgets be noted, together with the financial impact and degree of financial uncertainty that continued to exist due to Covid-19 Pandemic;
- 2) That the latest position in respect of the Council's investments and borrowing be noted;
- 3) That the corporate and strategic risks be noted, together with actions being taken to manage these.

Voting concerning the above decision was as follows:

Those voting for the motion Councillor	Those voting against	Those abstaining
G Allen		
Mrs B Ashcroft		
D Goodfellow		
B G Peters		

202/21

CORPORATE PLAN PERFORMANCE REPORT 2021/22 QUARTER 1

The report of the Head of Service (Sal Khan) on the update on progress at the end of the first quarter of the 2021/22 financial year towards achieving the priorities set out in the East Staffordshire Borough Council's Corporate Plan was considered. The following appendices had been circulated with the report:

- Appendix 1: Comprehensive data on all Corporate Indicators;
- Appendix 2: Comprehensive data for Quarter 1 2021/22 from the benchmarking exercise coordinated by East Staffordshire Borough Council.

Cabinet noted that out of the 129 targets, 88 were green status; 3 were amber status; 0 were red status; 37 were not yet due to be reported and 1 had been deferred and of the 91 "live" targets 96.7% were green status and 3.3% were amber status.

The reasons for making the decision below were set out in the report.

Resolved:

- 1) That performance at the end of the first quarter of the 2021/22 financial year towards achieving the Council's Corporate priorities be considered;
- 2) That indicator EHB 04 be deferred to 2022/23; that target for indicator CR26 be amended to October 2021 and that target for indicator VFM54 be amended to March 2022.

Voting concerning the above decision was as follows:

Those voting for the motion Councillor	Those voting against	Those abstaining
G Allen		
Mrs B Ashcroft		
D Goodfellow		
B G Peters		

203/21

LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN ANNUAL REVIEW LETTER 2021

The report of the Head of Service (Sal Khan) on the contents of the Annual Review Letter showing complaints about East Staffordshire Borough Council dealt with by the Local Government and Social Care Ombudsman (LGO) for the year ended 31st March 2021 was considered. The following appendices had been circulated with the report:

- Appendix 1: Annual Review Letter 2021;
- Appendix 2: Spreadsheet providing additional information on the complaints and enquiries received and decisions made in the period.

Cabinet noted that most of the formal complaints submitted to the Council had been resolved at Stage 1 of the complaints procedure; and that few complaints had proceeded to stage 2 or stage 3 of the procedure and noted that one of the two complaints which had been submitted to the Local Government Ombudsman had been upheld and that the Council had introduced changes in processes in relation to Discretionary Housing Payments.

The reasons for making the decision below were set out in the report.

Resolved:

That the Local Government Ombudsman Annual Review Letter 2021 be received and noted.

Voting concerning the above decision was as follows:

Those voting for the motion Councillor	Those voting against	Those abstaining
G Allen		
Mrs B Ashcroft		
D Goodfellow		
B G Peters		

204/21

COVID-19 EMERGENCY PLANNING RECOVERY UPDATE REPORT (SEPTEMBER 2021)

The report of the Head of Service (Sal Khan) on the review of the local framework of activities that contributed to the Borough's recovery from the impacts arising from the Covid-19 pandemic was considered.

Cabinet noted that the recovery aspects had been summarised in the report by considering the themes of Local Economy and Business; Infrastructure and the Environment; Physical and Psychological Health of the Community and Embedding new Best Practice and Supporting Communities to Adapt to New Norms of Behaviour.

The reasons for making the decision below were set out in the report.

Resolved:

That the update detailed within the report be noted.

Voting concerning the above decision was as follows:

Those voting for the motion Councillor	Those voting against	Those abstaining
G Allen		
Mrs B Ashcroft		
D Goodfellow		
B G Peters		

205/21

CONSIDERATION OF POTENTIAL HOUSES IN MULTIPLE OCCUPATION PLANNING RESTRICTIONS (ARTICLE 4) DIRECTION

The report of the Head of Service (Sal Khan) on the updated information on the efficacy and practicality of the Council moving to restrict permitted development rights in regards to the conversion from domestic properties to small houses of multiple occupation (HMOs) in part or all of the Borough was considered.

Cabinet had previously requested officers investigate the feasibility of an article 4 direction restricting the permitted development rights in part or all of the Borough (10th May 2021), to restrict changes from a dwelling house to a small house of multiple occupation, meaning that if the Council issued an article 4 direction, the conversion of domestic dwellings into small HMOs in that area would require planning permission. The creation of larger HMOs already required planning permission. The advantage of gaining planning control over this form of development would be that it could help to improve the quality of new small HMOs, and also mean that conversions which were likely to cause harm to the character of neighbourhoods, or amount to overdevelopment of this housing type in a particular location, could be refused.

Cabinet noted the work which had been done to investigate how such a restriction could be achieved, the likely benefits and drawbacks, and the processes which would need to be undertaken.

The reasons for making the decision below were set out in the report.

Resolved:

- 1) That authority be given to the Planning Manager to make a direction under article 4 of the General Permitted Development Order as amended (Article 4(1), GPDO 2015) so that development consisting of a change of use of a building within Class C4 from a use falling within Class C3, in Burton on Trent, should not be carried out unless permission is granted for it on application under Part 3 of the Town and Country Planning Act 1990;
- 2) That the Planning Manager be authorised to carry out the statutory procedure for making the Article 4(1) direction including the necessary consultation procedure, informing Cabinet of the consultation responses;

3) That the notice, when making the Direction, shall specify that the Direction was not intended to come into force until 12 months after it had been confirmed by the Council;

4) That a Supplementary Planning Document setting out how Planning would approach applications from Class C3 to C4 be developed, consulted on in accordance with the Statement of Community Involvement, and adopted before the Article 4 direction would come into force.

Voting concerning the above decision was as follows:

Those voting for the motion Councillor	Those voting against	Those abstaining
G Allen		
Mrs B Ashcroft		
D Goodfellow		
B G Peters		

206/21

EXCLUSION OF THE PRESS AND PUBLIC

Resolved:

That, in accordance with Section 100(A)(4) of the Local Government Act, 1972 the press and public be excluded from the remainder of the Meeting as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part 1 of Schedule 12A of the Act.