

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 14th February 2022.

Present:

Councillors D Goodfellow (Chairman), G Allen, Mrs B Ashcroft and R A Faulkner.

Officers Present:

The Chief Executive, the Heads of Service (Sal Khan and Mark Rizk), the interim Solicitor, the Chief Accountant, the Environment Manager, the Corporate and Commercial Manager, the Enterprise Manager, the Principal Planning Policy Officer (min no 246/22), the Climate Change and Adaptation Officer and the Principal Democratic Services Officer.

Also Present:

Cabinet Support Members Councillors M Metcalfe and S Sankey (via Zoom).

An apology for absence was received from Councillor B G Peters.

PART I

PART II

240/22 **DECLARATIONS OF INTEREST**

There were no declarations at the commencement of the meeting.

241/22 **MINUTES**

Resolved:

That the public minutes of the meeting held on 17th January 2022 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		
R A Faulkner		
D Goodfellow		

242/22 **URGENT BUSINESS**

There was no urgent business for consideration at the meeting.

243/22 **FORWARD PLAN**

The Forward Plan for the period 1st February 2022 to 31st May 2022 was submitted for information.

NOTED.

244/22 **MEDIUM TERM FINANCIAL STRATEGY 2022/23-2024/25**

The report of the Head of Service (Sal Khan) on the Medium Term Financial Strategy (MTFS) (including the Council's Capital Programme and the Asset Management and Capital Strategy) for the period covering 2022/23 to 2024/25 was considered.

The following appendices had been circulated with the report:

- Appendix A: Detailed Budget Summary 2022/23 – 2023/24
- Appendix B: Capital Programme
- Appendix C: Reserves Forecast
- Appendix D: Asset Management and Capital Strategy 2022/23

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

Recommended to Council:

That the Medium Term Financial Strategy 2022/23 to 2024/25 be approved, which includes the revenue budget, capital programme and the asset management and capital strategy; and that the level and appropriateness of reserves 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		
R A Faulkner		
D Goodfellow		

245/22 **ESTABLISHMENT OF THE STAFFORDSHIRE LEADERS BOARD**

The report of the Chief Executive on the establishment of and the Borough Council's participation in, the Staffordshire Leaders Board was considered. Appendix 1 – Terms of Reference for the Staffordshire Leaders Board had been circulated with the report.

Cabinet noted that at a meeting of the Leaders and Chief Executives of the County, District and Borough Councils in Staffordshire on 2nd December 2021,

opportunities for further joint working and how this might be further enhanced with the support of a devolution deal (“County deal”) from Government providing additional powers and funding had been considered. A range of areas where joint working might be explored during 2022 had been identified and it was agreed that a Joint Committee would provide a vehicle that had the status and authority to speak to Government on behalf of the nine authorities, with the ability to make decisions itself to drive the existing joint working forward.

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

Resolved:

- 1) That the establishment of, and the Borough Council’s participation in, the Staffordshire Leaders Board be agreed on the basis of the Terms of Reference set out in Appendix 1 to the report;
- 2) That the Leader be appointed as the Borough Council’s representative on the Leaders Board;
- 3) That Councillor G Allen be appointed the named Cabinet Member as the substitute for the Leader on the Leaders Board.

Voting concerning the above decision was as follows:

Those voting for the motion Councillor	Those voting against	Those abstaining
G Allen		
Mrs B Ashcroft		
R A Faulkner		
D Goodfellow		

246/22

CANNOCK CHASE SPECIAL AREA OF CONSERVATION: DEVELOPER CONTRIBUTIONS

The report of the Head of Service (Sal Khan) on the Cannock Chase Special area of Conservation (SAC): Developer Contributions was considered. Appendix 1: SAC Partnership Financial Agreement, SAC Partnership MOU 2022 had been circulated with the report.

Cabinet noted that the SAC Partnership had taken responsibility for a programme of measures to mitigate the impact of residential development on the Cannock Chase SAC. The agreement detailed how the partnership would work together to review, prepare and implement common plans and policies to protect the Cannock Chase SAC, and promote its understanding and appreciation. To meet the Conservation of Habitats and Species Regulations 2017 (as amended), from April 2022 planning consents for all new residential developments within the designated zone, including affordable houses, would be required to pay towards mitigation measures on the Cannock Chase SAC, either through a Unilateral Undertaking or a Section 106 agreement. The

latest study work of the group showed that in order to properly fund the management and monitoring proposals of the SAC into the future and mitigate the impact of increasing visits from new residential development, the area where developers would need to pay a charge on new residential developments would need to be expanded to 15km, from 8km currently.

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

Resolved:

- 1) That the new developer contribution charge of £290 per dwelling unit be brought into effect from 1 April 2022 to mitigate impacts on the SAC for new residential proposals in East Staffordshire Borough, within a 15 km Zone of Influence from the Cannock Chase Special Area of Conservation;
- 2) That delegated authority be given to the Deputy Leader in consultation with the Planning Manager to agree and sign the revised Cannock Chase SAC Memorandum of Understanding and to agree and sign the final version of the draft Financial Agreement on behalf of East Staffordshire Borough Council, following on from the Cannock Chase SAC Memorandum of Understanding being entered into.

Voting concerning the above decision was as follows:

Those voting for the motion Councillor	Those voting against	Those abstaining
G Allen		
Mrs B Ashcroft		
R A Faulkner		
D Goodfellow		

247/22

CLIMATE CHANGE ACTION PLAN – 1ST YEAR REVIEW OF PROGRESS

The report of the Head of Service (Mark Rizk) on the progress on the Climate Change Action Plan was considered. Appendix 1: the Climate Change Action Plan Progress had been circulated with the report.

Cabinet noted that the Climate Change Action Plan had been developed to support the “Climate Emergency” declared by Council in August 2020. The plan contained 57 actions covering energy generation and use, transport and travel, resource use and waste and the management of green space. 38 actions had been assessed as green (with 35 on track and 3 achieved), 4 actions assessed as red and 15 actions assessed as grey (not yet due to start).

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

Resolved:

- 1) That the overall positive progress within the Climate Change Action Plan be noted;
- 2) That Changes be made to target dates (actions 1.1, 2.2, 3.1, 12.5 in Appendix 1 refers);
- 3) That the 'Climate Emergency' declaration be extended to a 'Climate & Ecological Emergency' declaration, subject to ratification at the next available Council meeting;
- 4) That a progress report be produced annually at the end of each financial year.

Voting concerning the above decision was as follows:

Those voting for the motion Councillor	Those voting against	Those abstaining
G Allen		
Mrs B Ashcroft		
R A Faulkner		
D Goodfellow		

248/22

BURTON UPON TRENT TOWNS FUND PROGRAMME

The report of the Chief Executive on the evaluation of the projects within the Towns Fund programme was considered.

The following appendices had been circulated with the report:

- Appendix 1: Scrutiny Committee Observations;
- Appendix 2: Towns Fund Programme Business Case Summaries;
- Appendix 3: Molson Coors High Street Campus Heads of Terms (Confidential);
- Appendix 4: Project D Summary of Capital Financial Implications.

Cabinet noted that in December 2021/January 2022 sponsor organisations had submitted Business Cases to the Council (as accountable body) for projects D, E, G, H and J. All the projects had been consistently graded and reviewed for compliance, using a Green Book compliant template, based on the "five case model" (Strategic Case; Economic Case; Financial Case; Commercial Case and Management Case). Cabinet noted the methodology used, as detailed at section 5.4 of the report.

A summary of the Business Case Evaluation for each project had been provided at section 5.7 of the report, with further details contained within Appendix 2.

At this juncture Councillor S Sankey left the meeting.

The Chairman confirmed that all members of the Cabinet had either been present at the Scrutiny (Audit and Value for Money Council Services) Committee meeting held on 9th February 2022 or had listened to the recording of that meeting in full. He placed on record his thanks to the Town Deal Board, the officers and support team for their hard work.

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

Resolved:

- 1) That having reviewed the programme and considered the business case assessment as listed in Sections 5.7 and 5.8 of this report as well as the observations of the Scrutiny Committee held on 9th February 2022, that Cabinet accept the business cases for the projects being taken forward at this time and that ESBC submit the Summary Document to the Department for Levelling Up, Housing and Communities as detailed in the Heads of Terms and that this decision is ratified at the next available full Council;
- 2) That the Cabinet recommends to Council to agree to the principle of the final decision to purchase the Molson Coors High Street Campus property, utilising Towns Deal Funding, being delegated to the Leader of the Council and the Deputy Leader for Regeneration and Planning Policy, in consultation with the Leader of the Opposition, Leader of the Independent Alliance Group and the Chief Executive;
- 3) That the Cabinet recommends to Council to agree the principle of the final decision on the asset transfer of the Market Hall and Crossley House in exchange for the Burton Library property being delegated to the Leader of the Council and the Deputy Leader for Regeneration and Planning Policy, in consultation with the Leader of the Opposition, Leader of the Independent Alliance Group and the Chief Executive at the relevant time.

Voting concerning the above decision was as follows:

Those voting for the motion Councillor	Those voting against	Those abstaining
G Allen		
Mrs B Ashcroft		
R A Faulkner		
D Goodfellow		

249/22

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.