

EAST STAFFORDSHIRE BOROUGH COUNCIL

Minutes of a Meeting of East Staffordshire Borough Council held in the Council Chamber, Town Hall on Monday 19th February 2024

Present:

Councillor S A Hussain (Mayor) in the Chair

Councillors	M Ackroyd	Mrs J Jones
	A Afsar	P Krupski
	G Allen	Z Krupski
	Mrs B Ashcroft	Ms A J Legg
	A Bailey	R Lock
	L Beech	A Mansfield
	L Bullock	S McKiernan (Deputy Mayor)
	A A Chaudhry	B G Peters
	A Clarke	S Sankey
	M T Fitzpatrick	M Shrive
	D F Fletcher	M Slater
	S P Gaskin	S Slater
	Mrs V J Gould	C Smedley
	T Hadley	L Walker
	R Hawkins	P Walker
	M Huckerby	C D Wileman
	P Hudson	

Officers Present:

The Chief Executive, the Head of Corporate and Environment Services, the Head of Regeneration and Development, the Chief Financial Officer, the Head of Legal and Regulatory Services and Monitoring Officer, the Corporate and Commercial Manager, the Digital and Communications Officer and the Democratic Services Officer.

Apologies for absence were received from Councillors M Holton, K Smith and C V Whittaker.

66/24 **DECLARATIONS OF INTEREST**

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

67/24 **MINUTES**

The public minutes of the meeting of the Borough Council held on 11th December 2023 were approved as a correct record and signed by the Mayor.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST Councillor	THOSE ABSTAINING Councillor
M Ackroyd		
A Afsar		
G Allen		
Mrs B Ashcroft		
A Bailey		
L Beech		
L Bullock		
A A Chaudhry		
A Clarke		
M T Fitzpatrick		
D F Fletcher		
S P Gaskin		
Mrs V J Gould		
T Hadley		
R Hawkins		
M Huckerby		
S A Hussain		
P Hudson		
Mrs J Jones		
P Krupski		
Z Krupski		
Ms A J Legg		
R Lock		
A Mansfield		
S McKiernan		
B G Peters		
S Sankey		
M Shrive		
M Slater		
S Slater		
C Smedley		
L Walker		
P Walker		
C D Wileman		

68/24 **ANNOUNCEMENTS**

The Mayor passed on his best wishes to His Majesty King Charles III following his recent health diagnosis.

The Mayor advised Council of the recent sad passing of Mrs Maureen Jarvis and Mrs Noreen Oliver MBE, Freeman of the Borough and he wished to convey his sincere condolences to the families of both.

The Mayor passed on his congratulations to the citizens of Staffordshire who had received an honour in the recent King's New Year's Honours announcement.

The Mayor announced that East Staffordshire Borough Council had been reaccredited a FairTrade borough for a further 2 years.

The Mayor requested all present to observe a moment of silence in remembrance of all those affected by the current situation in Gaza, Palestine and Israel.

69/24 **URGENT BUSINESS**

There was no urgent business for consideration at the meeting.

70/24 **MEDIUM TERM FINANCIAL STRATEGY 2024/25 – 2026/27**

The report of the Chief Financial Officer on the council's Medium Term Financial Strategy (MTFS) for the period covering 2024/25 to 2026/27, including the Council's Capital Programme and the Asset Management and Capital Strategy was considered.

The following appendices had been circulated with the report:

Appendix A: Detailed Budget Summary 2024/25 – 2026/27

Appendix B: Capital Programme

Appendix C: Asset Management and Capital Strategy 2024/25

It was proposed by Councillor A A Chaudhry and seconded by Councillor M T Fitzpatrick:

“To approve the Medium Term Financial Strategy 2024/25 to 2026/27, which includes the revenue budget, capital programme and the Asset Management and Capital Strategy; and that the level and appropriateness of reserves be noted.”

An amendment was proposed by Councillor G Allen and seconded by Councillor A Clarke. The amendment read as follows:

“Proposal 1 - 50% increase to the Community & Civil Enforcement Team from 2024/25 (assuming a 6mth lead time to create and recruit to the posts), with continued gradual increase in the size of the team over time so that it results in a 100% increase (compared to 2023/24) by the 2027/28 financial year.

Proposal 2 - Removal of the proposed Green bin tax in the second and third year of the MTFS.

Proposal 3 - Increase the amount of funding in General Reserves to 15% of the council's Net Revenue Budget.

Proposal 4 - Addition to the capital programme of £400k (£100k per year for 4 years) to allow members to enhance ESBC play parks in their wards, with the cost in the first year funded by the removal of the proposed new capital bid to extend the Community Regeneration Fund.”

The Mayor informed Council there would be a short adjournment to allow Councillors to read and consider the amendment circulated (A copy of the amendment's circulated at the meeting is appended to these minutes).

The amendment was debated.

As required by the Rules of Procedure, a named vote was taken. Upon a vote being taken the Mayor declared the amendment was defeated.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST Councillor	THOSE ABSTAINING Councillor
M Ackroyd	A Afsar	
G Allen	A Bailey	
Mrs B Ashcroft	A A Chaudhry	
L Beech	M T Fitzpatrick	
L Bullock	D F Fletcher	
A Clarke	T Hadley	
S P Gaskin	R Hawkins	
Mrs V J Gould	M Huckerby	
P Hudson	S A Hussain	
Mrs J Jones	P Krupski	
R Lock	Z Krupski	
B G Peters	Ms A J Legg	
S Sankey	A Mansfield	
C Smedley	S McKiernan	
C D Wileman	M Shrive	
	M Slater	
	S Slater	
	L Walker	
	P Walker	

A further amendment was proposed by Councillor P Hudson and seconded by Councillor S Sankey. The amendment read as follows:

“Freeze in the increase to car parking charges for 1 year only until a full and proper review has taken place.”

The Mayor informed Council there would be a short adjournment to allow Councillors to read and consider the amendment circulated (A copy of the amendment circulated at the meeting is appended to these minutes).

The amendment was debated.

As required by the Rules of Procedure, a named vote was taken. Upon a vote being taken the Mayor declared the amendment was defeated.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST Councillor	THOSE ABSTAINING Councillor
M Ackroyd	A Afsar	
G Allen	A Bailey	
Mrs B Ashcroft	A A Chaudhry	
L Beech	M T Fitzpatrick	
L Bullock	D F Fletcher	
A Clarke	T Hadley	
S P Gaskin	R Hawkins	
Mrs V J Gould	M Huckerby	
P Hudson	S A Hussain	
Mrs J Jones	P Krupski	
R Lock	Z Krupski	
B G Peters	Ms A J Legg	
S Sankey	A Mansfield	
C Smedley	S McKiernan	
C D Wileman	M Shrive	
	M Slater	
	S Slater	
	L Walker	
	P Walker	

The original motion therefore became the substantive motion.

As required by the Rules of Procedure, a named vote was taken. Upon a vote being taken the Mayor declared the substantive motion was carried.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST Councillor	THOSE ABSTAINING Councillor
A Afsar		M Ackroyd
A Bailey		G Allen
A A Chaudhry		Mrs B Ashcroft
M T Fitzpatrick		L Beech
D F Fletcher		L Bullock
T Hadley		A Clarke
R Hawkins		S P Gaskin
M Huckerby		Mrs V J Gould
S A Hussain		P Hudson
P Krupski		Mrs J Jones
Z Krupski		R Lock
Ms A J Legg		B G Peters
A Mansfield		S Sankey
S McKiernan		C Smedley
M Shrive		C D Wileman
M Slater		
S Slater		
L Walker		
P Walker		

71/24 **TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY 2024/25**

The report of the Chief Financial Officer on the council's Treasury Management Strategy Statement and the Annual Investment Strategy 2024/25 was considered.

The following appendix had been circulated with the report:

Appendix A: Treasury Management Strategy Statement, Minimum Revenue Provision Policy, and Annual Investment Strategy 2024/25

It was proposed by Councillor A A Chaudhry and seconded by Councillor D F Fletcher:

Resolved:

That the Treasury Management Strategy Statement, Minimum Revenue Provision Policy, and Annual Investment Strategy 2024/25 as set out in Appendix A to the report be approved.

Upon a vote being taken the Mayor declared the motion was carried.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST Councillor	THOSE ABSTAINING Councillor
M Ackroyd		
A Afsar		
G Allen		
Mrs B Ashcroft		
A Bailey		
L Beech		
L Bullock		
A A Chaudhry		
A Clarke		
M T Fitzpatrick		
D F Fletcher		
S P Gaskin		
Mrs V J Gould		
T Hadley		
R Hawkins		
M Huckerby		
S A Hussain		
P Hudson		
Mrs J Jones		
P Krupski		
Z Krupski		
Ms A J Legg		
R Lock		
A Mansfield		
S McKiernan		
B G Peters		
S Sankey		
M Shrive		
M Slater		
S Slater		
C Smedley		
L Walker		
P Walker		
C D Wileman		

72/24 **COUNCIL TAX SETTING 2024/25**

The report of the Chief Financial Officer on setting the amount of Council Tax for the year 2024/25 was considered.

The following appendices had been circulated with the report:

- Appendix 13.1: Special Expenses
- Appendix 13.2: Council Tax Base

Appendix 13.3: Calculation of Council Tax & East Staffordshire Borough
Council Tax Rates
Appendix 13.4: Major Precepts
Appendix 13.5: Total Council Tax Rates
Appendix 13.6: Local Precepts

Council noted that:

- (1) "The report was based upon the revenue budget for 2024/25, as set out elsewhere on the Agenda;
- (2) The Executive Decision Record – Council Tax Base 2024/25 of the 22nd December 2023 calculated the amounts highlighted at Appendix 13.2 in accordance with regulations made under section 33 (5) of the Local Government Finance Act;
- (3) The amounts at Appendix 13.3 are calculated by the Council for the year 2024/25 in accordance with sections 31 to 36 of the Local Government Finance Act 1992;
- (4) The amounts in Appendix 13.4 be noted as precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwelling shown".

It was proposed by Councillor A A Chaudhry and seconded by Councillor M T Fitzpatrick:

- 1) "That for the purpose of section 35 (e) of the Local Government Finance Act 1992, all expenses incurred by the Council in 2024/25 be declared general expenses, apart from those expenses which are incurred by the Council in performing in a part of its area a function performed elsewhere in its area by a body with power to issue a precept to the Council, as listed at Appendix 13.1 and are therefore special expenses.
- 2) That having calculated in each case the aggregate of the amounts of the schedule at Appendix 13.3(h) and the amounts in Appendix 13.4, the Council, in accordance with Section 30 (2) of the Local Government Finance Act 1992, hereby sets the amounts shown on Appendix 13.5 as the amounts of council tax for the year 2024/25, for each of the categories of dwellings shown".

As required by the Rules of Procedure, a named vote was taken. Upon a vote being taken the Mayor declared the motion was carried.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST Councillor	THOSE ABSTAINING Councillor
A Afsar	M Ackroyd	
A Bailey	G Allen	
A A Chaudhry	Mrs B Ashcroft	
M T Fitzpatrick	L Beech	
D F Fletcher	L Bullock	
T Hadley	A Clarke	
R Hawkins	S P Gaskin	
M Huckerby	Mrs V J Gould	
S A Hussain	P Hudson	
P Krupski	Mrs J Jones	
Z Krupski	R Lock	
Ms A J Legg	B G Peters	
A Mansfield	S Sankey	
S McKiernan	C Smedley	
M Shrive	C D Wileman	
M Slater		
S Slater		
L Walker		
P Walker		

At this juncture Councillor D F Fletcher left the meeting.

73/24 **POLLING DISTRICT REVIEW**

The report of the Returning Officer on the responses to and recommendations from the consultation in respect of the review of polling districts and polling places was considered.

The following appendix had been circulated with the report:

Appendix A: List of Polling Districts, Polling Places and Polling Stations

It was proposed by Councillor M T Fitzpatrick and seconded by Councillor G Allen.

Resolved:

- 1) That the responses to the consultation on the Polling District Review be noted.
- 2) That there will be no change to the current arrangements and all Polling Districts, Polling Places & Polling Stations remain the same.

At this juncture Councillor D F Fletcher re-joined the meeting.

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST Councillor	THOSE ABSTAINING Councillor
M Ackroyd		
A Afsar		
G Allen		
Mrs B Ashcroft		
A Bailey		
L Beech		
L Bullock		
A A Chaudhry		
A Clarke		
M T Fitzpatrick		
S P Gaskin		
Mrs V J Gould		
T Hadley		
R Hawkins		
M Huckerby		
S A Hussain		
P Hudson		
Mrs J Jones		
P Krupski		
Z Krupski		
Ms A J Legg		
R Lock		
A Mansfield		
S McKiernan		
B G Peters		
S Sankey		
M Shrive		
M Slater		
S Slater		
C Smedley		
L Walker		
P Walker		
C D Wileman		

*Councillor D F Fletcher was not present for the debate so did not take part in the vote.

74/24 **MOTION ON NOTICE**

The Mayor invited Councillor S Sankey to put forward and propose the motion at item 10 on the agenda for the meeting, which read as follows:

“This Council serves the public and this Motion on Notice seeks to enhance and clarify our democratic processes. There is a need to be reassured that committee meetings which discuss ‘call ins’ of executive decisions do so in a fair and balanced way, as appropriate.

To this end this Council asks the Monitoring Officer with the Leader of the Council, the Leader of the Opposition and the Chief Executive to review relevant parts of the constitution relating to the conduct of ‘call ins’ of executive decisions and to bring forward proposals for approval to a future meeting of the Full Council.

Specifically the aforementioned members and officers should focus on: how debates of ‘call ins’ are to be conducted with a view to attaining consistency from one ‘call in’ to the next; councillors’ rights to speak during meetings which discuss ‘call ins’; how the constitution can or should be interpreted; and training for members on the ‘call in’ procedure (covering inception to conclusion).”

The Mayor invited Council to debate the motion under Rule 16 (Rules of Debate).

Upon a vote being taken the Mayor declared the motion was defeated.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST Councillor	THOSE ABSTAINING Councillor
M Ackroyd	A Afsar	
G Allen	A Bailey	
Mrs B Ashcroft	A A Chaudhry	
L Beech	M T Fitzpatrick	
L Bullock	D F Fletcher	
A Clarke	T Hadley	
S P Gaskin	R Hawkins	
Mrs V J Gould	M Huckerby	
P Hudson	S A Hussain	
Mrs J Jones	P Krupski	
R Lock	Z Krupski	
B G Peters	Ms A J Legg	
S Sankey	A Mansfield	
C Smedley	S McKiernan	
C D Wileman	M Shrive	
	M Slater	
	S Slater	
	L Walker	
	P Walker	

75/24 **MOTION ON NOTICE**

The Mayor invited Councillor A Clarke to put forward and propose the motion at item 11 on the agenda for the meeting, which read as follows:

“Currently, when questions on notice or urgent questions - as defined in Part 3A, Rule 18 of the constitution - are asked by Councillors, the Cabinet Member or respective Officers answering these questions have the right to respond in writing to both the original question and any supplemental questions. However, this creates a

gap in transparency regarding the answers to these written and supplemental answers for councillors other than the original questioner and public who are not privy to the responses.

As such, in the interest of transparency and open democracy, this council will; Adopt a policy whereby questions on notice, answers and supplementary correspondence are circulated to all councillors of the relevant committee/full council and is published online on the relevant meeting portal within 3 working days; Ensure that this policy is similarly present and consistent with the process regarding questions raised by the public, as defined in Parts 3Ie and 3Eb of the constitution; Update the relevant sections of the constitution in line with the above policy.”

The Mayor invited Council to debate the motion under Rule 16 (Rules of Debate).

Upon a vote being taken the Mayor declared the motion was defeated.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST Councillor	THOSE ABSTAINING Councillor
M Ackroyd	A Afsar	
G Allen	A Bailey	
Mrs B Ashcroft	A A Chaudhry	
L Beech	M T Fitzpatrick	
L Bullock	D F Fletcher	
A Clarke	T Hadley	
S P Gaskin	R Hawkins	
Mrs V J Gould	M Huckerby	
P Hudson	S A Hussain	
Mrs J Jones	P Krupski	
R Lock	Z Krupski	
B G Peters	Ms A J Legg	
S Sankey	A Mansfield	
C Smedley	S McKiernan	
C D Wileman	M Shrive	
	M Slater	
	S Slater	
	L Walker	
	P Walker	

76/24 **MOTION ON NOTICE**

The Mayor invited Councillor P Walker to put forward and propose the motion at item 12 on the agenda for the meeting, which read as follows:

“The Council calls for:

- An immediate ceasefire;
- A safe route for immediate humanitarian aid to civilians still living in Gaza;

- The immediate and unconditional release of all hostages.

Council recognises that, in order for any ceasefire to work, it requires all sides to comply. We also recognise and believe that the international community should use every form of diplomacy to try and create the conditions on the ground to make a ceasefire a reality. The council unequivocally condemns in the strongest possible terms Hamas' unjustifiable attacks against Israeli citizens on 7 October 2023. Council further agrees that Israel's targeting of innocent civilians and the bombing of hospitals and places of worship in Gaza is counter-productive to peace, wrong and must stop.

The Council believes that all Gazans who have been forced to leave their homes in the current conflict should have the guarantee they can return to their homes. The international community should facilitate this and help rebuild the infrastructure. Council reaffirms that a credible, just, lasting and sustainable peace can only be based on the two-state solution. The council also unanimously deplores the rise in both Islamophobic and anti-Semitic hate crime in this country. We urge residents to work together on the issues which unite us and protect our hard-won community cohesion.

This Council will write to the Staffordshire Police, Crime & Fire Commissioner to ask him to set out what steps he is taking to maintain community cohesion, and to ensure the safety of all communities across East Staffordshire."

The Mayor invited Council to debate the motion under Rule 16 (Rules of Debate).

Upon a vote being taken the Mayor declared the motion was carried.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST Councillor	THOSE ABSTAINING Councillor
A Afsar		M Ackroyd
A Bailey		G Allen
A A Chaudhry		Mrs B Ashcroft
M T Fitzpatrick		L Beech
D F Fletcher		L Bullock
T Hadley		A Clarke
R Hawkins		S P Gaskin
M Huckerby		Mrs V J Gould
S A Hussain		P Hudson
Mrs J Jones		R Lock
P Krupski		B G Peters
Z Krupski		S Sankey
Ms A J Legg		C Smedley
A Mansfield		C D Wileman
S McKiernan		
M Shrive		
M Slater		
S Slater		
L Walker		
P Walker		

77/24 **MOTION ON NOTICE**

The Mayor invited Councillor G Allen to put forward and propose the motion at item 13 on the agenda for the meeting, which read as follows:

“This Council is sad to hear of the Kings diagnosis and wishes His Majesty a full and complete recovery. We place on record our appreciation of His work to promote the United Kingdom as a whole, including His charitable work in many communities all over our country. We recognise His deep care for rural communities like ours and his unwavering support for conservation. We wish Him and His family all the best at this time.

We ask the Chief Executive to write to the Lord Lieutenant of Staffordshire to convey our thoughts to His Majesty.”

The Mayor invited Council to debate the motion under Rule 16 (Rules of Debate).

Upon a vote being taken the Mayor declared the motion was carried.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST Councillor	THOSE ABSTAINING Councillor
M Ackroyd		
A Afsar		
G Allen		
Mrs B Ashcroft		
A Bailey		
L Beech		
L Bullock		
A A Chaudhry		
A Clarke		
M T Fitzpatrick		
D F Fletcher		
S P Gaskin		
Mrs V J Gould		
T Hadley		
R Hawkins		
M Huckerby		
S A Hussain		
P Hudson		
Mrs J Jones		
P Krupski		
Z Krupski		
Ms A J Legg		
R Lock		
A Mansfield		
S McKiernan		
B G Peters		
S Sankey		
M Shrive		
M Slater		
S Slater		
C Smedley		
L Walker		
P Walker		
C D Wileman		

In accordance with the Rules of Procedure as three hours had elapsed since the start of the meeting, it was proposed by the Mayor and seconded by Councillor M T Fitzpatrick that the meeting time be extended.

Upon a vote being taken the Mayor declared the motion was carried.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST Councillor	THOSE ABSTAINING Councillor
M Ackroyd		
A Afsar		
G Allen		
Mrs B Ashcroft		
A Bailey		
L Beech		
L Bullock		
A A Chaudhry		
A Clarke		
M T Fitzpatrick		
D F Fletcher		
S P Gaskin		
Mrs V J Gould		
T Hadley		
R Hawkins		
M Huckerby		
S A Hussain		
P Hudson		
Mrs J Jones		
P Krupski		
Z Krupski		
Ms A J Legg		
R Lock		
A Mansfield		
S McKiernan		
B G Peters		
S Sankey		
M Shrive		
M Slater		
S Slater		
C Smedley		
L Walker		
P Walker		
C D Wileman		

At this juncture Councillor L Bullock left the meeting.

78/24 **QUESTIONS**

The Mayor indicated that two questions had been received in advance of the meeting (A copy of questions and responses are appended to the minutes).

79/24 **ACQUISITION OF THE MALTINGS PRECINCT, UTTOXETER**

The redacted Report of the Head of Regeneration and Development on the Acquisition of the Maltings Precinct, Uttoxeter was considered.

At this juncture the Mayor informed Council that the meeting would be reconvened in private session, to allow for the confidential report and Appendix in respect of this item to be considered and discussed.

80/24 **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 Meeting during discussion of the following items as it would 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.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST Councillor	THOSE ABSTAINING Councillor
M Ackroyd		
A Afsar		
G Allen		
Mrs B Ashcroft		
A Bailey		
L Beech		
A A Chaudhry		
A Clarke		
M T Fitzpatrick		
D F Fletcher		
S P Gaskin		
Mrs V J Gould		
T Hadley		
R Hawkins		
M Huckerby		
S A Hussain		
P Hudson		
Mrs J Jones		
P Krupski		
Z Krupski		
Ms A J Legg		
R Lock		
A Mansfield		
S McKiernan		
B G Peters		
S Sankey		
M Shrive		
M Slater		
S Slater		
C Smedley		
L Walker		
P Walker		
C D Wileman		

At this juncture the meeting was reconvened in public session.

83/24 **ACQUISITION OF THE MALTINGS PRECINCT, UTTOXETER**

Resolved:

- 1) That Council approves the principle of purchasing the Maltings Precinct, Uttoxeter, on the basis of this report, the price identified within and the appended draft Heads of Terms.
- 2) That the authority to exchange contracts and complete the transaction is delegated to the Cabinet Member for Regeneration and Development and the Cabinet Member for Finance and Treasury Management, in consultation with the Leader of the Council, the Leader of the Opposition, and the Chief Executive, to allow for reasonable variations as part of the contract negotiations, including the consideration of VAT and revenue implications.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST Councillor	THOSE ABSTAINING Councillor
M Ackroyd		
A Afsar		
G Allen		
Mrs B Ashcroft		
A Bailey		
L Beech		
A A Chaudhry		
A Clarke		
M T Fitzpatrick		
D F Fletcher		
S P Gaskin		
Mrs V J Gould		
T Hadley		
R Hawkins		
M Huckerby		
S A Hussain		
P Hudson		
Mrs J Jones		
P Krupski		
Z Krupski		
Ms A J Legg		
R Lock		
A Mansfield		
S McKiernan		
B G Peters		
S Sankey		
M Shrive		
M Slater		
S Slater		
C Smedley		
L Walker		
P Walker		
C D Wileman		

Mayor

Questions

Question received from Councillor S Sankey

There have been a number of delays to the High street linkages project plans, designs, and proposals. Resulting in a number of missed or removed targets such as the submitting of a planning application for the Washlands Visitor Centre which was due to commence construction this month. Can the Cabinet Member for Regeneration provide an update on the risk profile of each project, and what actions is he is taking to manage the increased risk of not spending all the monies before the 2026 Government deadline?

Response by the Cabinet Member for Regeneration and Development, Councillor R Hawkins

Performance on the Towns Fund programme is reported to Cabinet on a quarterly basis, which includes a summary of the risk profile for the High Street project. Specifically, this includes RAG ratings for Delivery, Spend and overall Risk as well as the top risks for the project and mitigating action. The update for the end of Quarter 3 is being reported to Cabinet next month and the position at the end of Quarter 2 was reported in December.

Question from Councillor A Clarke:

As a matter of openness and integrity, it has been a long-standing precedent that at the end of the corporate year the cabinet has taken the decision to move all amber corporate targets to red, demonstrating that a target has either been achieved or not. Can the leader of the council confirm if this practice is to continue under the new administration?

Response by the Leader of the Council, Councillor M T Fitzpatrick

The corporate performance management framework which the Council has in place is a long-standing and well-embedded approach, with quarterly performance having been summarised using a Red / Amber / Green (RAG) traffic light style system for many years, and at least since 2007/08.

However it is important to note that the RAG system provides a high level summary of performance only, and that the RAG colour attributed to a performance indicator does not in itself demonstrate that the target has been achieved or not, as suggested in the question. Each colour contains a number of very specific definitions which are used to grade each individual indicator. For example, the current year-end performance definitions* are set out below, an approach to year-end performance assessment that has been in place since the fourth quarter of the 2008/09 financial year:

- Green: Target fully achieved / exceeded; or numerical outturn is within 5% tolerance
- Amber: Target partially met; numerical outturn is within 10% tolerance; or completion date is within a reasonable tolerance
- Red: Target was not completed; numerical outturn is outside of the 10% tolerance; or has been completed significantly after the target deadline

*N.B. In year RAG definitions (i.e. quarters 1 to 3) do not include tolerances.

In the interests of openness and integrity, the performance reports that are provided to members clearly set out these definitions, and clearly identify the proportion of indicators that sit within each of these definitions to provide a ranking system that is helpful to Members in reviewing and scrutinising performance. Performance is analysed and presented by officers to members on this basis.

Having looked back at the minutes of previous Cabinet meetings at which year-end performance was considered, I can only see three instances (2019/20, 2020/21 and 2021/22) of a Cabinet resolving to move Amber targets to Red at the year-end, departing from the recommendations presented by officers. This, then, is clearly not a long standing precedent given that it is only three reports from a general approach that has been in place at least 16 years, nor is it an issue of openness and integrity given the clear definitions of the RAG ratings. Officers will continue to analyse performance in this way for Members to review and scrutinise, and if Cabinet Members propose amendments to recommendations presented to any future Cabinet meeting, this will be debated in the proper way in that committee.

EAST STAFFORDSHIRE BOROUGH COUNCIL – 19th February 2024

Amendment

1. Detail of Proposed Budget Amendment:

This note comprises of a number of proposed amendments to the MTFS currently being presented to Council, which are as follows:

Proposal 1 - 50% Increase to the Community & Civil Enforcement Team from 2024/25 (assuming a 6mth lead time to create and recruit to the posts), with continued gradual increases in the size of the team over time so that it results in a 100% increase (compared to 2023/24) by the 2027/28 financial year.

Proposal 2 - Removal of the proposed Green bin tax in the second and third year of the MTFS.

Proposal 3 - Increase the amount of funding in General Reserves to 15% of the council's Net Revenue Budget.

Proposal 4 - Addition to the capital programme of £400k (£100k per year for 4 years) to allow members to enhance ESBC play parks in their wards, with the cost in the first year funded by the removal of the proposed new capital bid to extend the Community Regeneration Fund.

2. Desired Impact of Proposed Budget Amendment:

The desired impact of each proposal is set out below:

Proposal 1 - The intention is to eventually double the size of the team who would be better able to tackle fly-tipping, dog fouling and littering offences in the Borough.

Proposal 2 - The cost of living crisis is already having a significant impact on local residents, who will now also face an increase in council tax. Implementing a new charge for an existing council service will further add to the financial pressure for residents. Furthermore, whilst the introduction of a fee is an attractive option, including it in the MTFS at this point before any consultation has taken place, is very likely to add pressure on elected members to approve introducing such a tax.

Proposal 3 - To ensure that the council has an adequate level of General Reserves to mitigate against unknown risks which may arise in the year.

Proposal 4 - To seek to improve play facilities across the borough and support the corporate priorities of improving local democracy and standing up for our communities. This new fund would enable ward members to direct funding into play parks in their areas on an agreed funding calculation to ensure all ward members have funding to improve play parks in their area as opposed to a competitive bidding process.

3. Chief Finance Officer (S151 Officer) Review of Proposed Budget Amendment:

Summary of Financial Impact

Table 1: Revenue Impact			
Proposal No.	Estimated Cost 2024/25 (£)	Estimated Cost 2025/26 (£)	Estimated Cost 2026/27 (£)
1	72,960	157,142	244,860
2	0	790,000	790,000
3	0	0	0
Total	72,960	947,142	1,034,860

Table 2: Capital Impact			
Proposal No.	Estimated Cost 2024/25 (£)	Estimated Cost 2025/26 (£)	Estimated Cost 2026/27 (£)
4	0	100,000	100,000
Total	0	100,000	100,000

Analysis of Financial Impact* - Material

There is sufficient funding flexibility available within the totality of the existing New Homes Bonus reserve (following planned transfers to and from that reserve currently assumed within the updated MTFs) to fund these proposals in full.

However the cost of these proposals, rising to a combined total of £1.135m per year by the end of the MTFs, would have a material impact on the overall level of financial risk for the council. The current planned use of the New Homes Bonus Reserve in 2025/26 and 2026/27 is provisional and will change dependent on final funding allocations for those years. Therefore utilising a

further material amount of that funding would reduce the flexibility that the council has to respond to and manage further changes in its funding levels.

In terms of the proposed increase in General Reserves this proposal would not directly result in an increased cost to the authority, it would simply involve transferring £800k of funding from the New Homes Bonus Reserve to the General Reserve.

Whilst this transfer would reduce the flexibility within the New Homes Bonus that the council has to respond to and manage further changes in its funding levels, the funding would still be available within the General Reserve, and could continue to be accessed for that purpose.

The MTFs already includes an assessment of reserves by the S151 officer, and this recommends that General Reserves should be maintained at a minimum level of £1.6m, which would equate to 10% of the council's Net Revenue Budget, therefore this proposal would further increase the robustness of General Reserves, and would more closely align them to the average across the council's nearest neighbour group.

Potential Options to Reduce Financial Risk

Proposal 1 -

Seek to identify other proposed saving or investment options currently included within the MTFs which this proposal could replace.

Failing that limit the proposal to 2024/25 only, with an assessment of the impact of the additional resources at the end of the year to inform a decision to continue the investment or not. This would reduce the immediate financial impact of this proposal to closer to a trivial level.

Proposal 2 -

Seek to identify other proposed saving or investment options currently included within the MTFs which this proposal could replace.

Failing that, the MTFs only requires members to approve the budget for 2024/25 at this stage, therefore any final decision in relation to this proposal could be delayed and discussed as part of the process that is followed during 2024/25 to consider the implementation of the scheme. This would remove any immediate financial impact.

Proposal 3 - NIA-this proposal does not seek to use funding, it is purely a realignment from earmarked reserves to General Reserves.

Proposal 4 -

Seek to identify other proposed capital schemes, or saving or investment options currently included within the MTFs which this proposal could replace in 2025/26 and 2026/27.

Failing that there is an option to fund this proposal through new capital borrowing which (assuming an asset life of 10 years for associated equipment) would reduce the initial impact to a trivial level, as the cost of the equipment would be spread over the life of the assets purchased. The estimated revenue costs required to fund the associated borrowing are set out below.

Table 3: Revenue Costs Associated with new Borrowing for this Proposal (both Interest and MRP costs)		
Estimated Cost 2024/25 (£)	Estimated Cost 2025/26 (£)	Estimated Cost 2026/27 (£)
0	0	13,830

*The analysis of financial impact utilises the same thresholds as those utilised by the councils external auditors of Trivial, Significant and then Material.

EAST STAFFORDSHIRE BOROUGH COUNCIL – 19th February 2024

Amendment

1. Detail of Proposed Budget Amendment:

Freeze in the increase to car parking charges for 1 year only until a full and proper review has taken place.

2. Desired Impact of Proposed Budget Amendment:

The intention is to allow further work to take place to identify alternate options for amending parking charges but which deliver the same total financial outcome. A flexible charging structure which takes account of real world car park usage, further consideration of an attractive alternative discount scheme and better enforcement all need to be thought through.

3. Chief Finance Officer (S151 Officer) Review of Proposed Budget Amendment:

Summary of Financial Impact

Table 1: Revenue Impact		
Estimated Cost 2024/25 (£)	Estimated Cost 2025/26 (£)	Estimated Cost 2026/27 (£)
340,745	0	0

Table 2: Capital Impact		
Estimated Cost 2024/25 (£)	Estimated Cost 2025/26 (£)	Estimated Cost 2026/27 (£)
0	0	0

Analysis of Financial Impact* - Significant

There is sufficient funding flexibility available within the totality of the existing New Homes Bonus reserve (following planned transfers to and from that reserve currently assumed within the updated MTFS) to fund this amendment.

However the cost of this amendment, at £341 k, would have a significant impact on the overall level of financial risk for the council. The current planned use of the

New Homes Bonus Reserve in 2025/26 and 2026/27 is provisional and will change dependent on final funding allocations for those years. Therefore utilising a further significant amount of that funding would reduce the flexibility that the council has to respond to and manage further changes in its funding levels.

Potential Options to Reduce Financial Risk

Seek to identify other proposed saving or investment options currently included within the MTFS which this amendment could replace - either through removal or delay to a following year.

*The analysis of financial impact utilises the same thresholds as those utilised by the councils external auditors of Trivial, Significant and then Material.