

## Congleton Town Council

### Minutes of the Council Meeting held at Congleton Town Hall on 12<sup>th</sup> October 2024

**Please note – These are draft minutes and will not be ratified until the next meeting of the Council.**

For the papers discussed at the meeting, [please see the Meeting agenda of 12<sup>th</sup> December 2024](#)

**Councillors Present:** Kay Wesley (Mayor)  
Robert Brittain (Deputy Mayor)  
Dawn Allen  
David Brown  
Russell Chadwick (Arrival at 8.40 pm)  
Robert Douglas  
Mark Edwardson  
Suzy Firkin  
Emma Hall  
Sally Ann Holland  
Amanda Martin  
Susan Mead  
Robert Moreton  
Heather Pearce  
Shaun Radcliffe  
Heather Seddon  
Richard Walton  
Liz Wardlaw  
Glen Williams

**Congleton Town Council Officers:** David McGifford (Chief Officer)

**Number of Press:** 0

**Member of the Public:** 2

#### **1. Apologies for absence**

Apologies were received from Cllrs Suzie Akers Smith, Charles Booth Arabella Holland

#### **2. Minutes of Previous Meetings**

**CTC/58/2425 Resolved** to sign and approve the [minutes of the Council meeting held on the 3<sup>rd</sup> October](#)

### **3. Declarations of Disclosable Pecuniary Interest**

Were received from Councillors David Brown, Sally Anne Holland, Liz Wardlaw, Emma Hall, Rob Moreton and Heather Seddon on matters relating to Cheshire East Council

At the end of this item the Mayor advised that the council had received a question relating to item 13. The government consultation on Hybrid Meetings and proposed that the agenda item should follow public questions.

**CTC /59/ 2425 resolved to** approve the proposal to discuss item 13 following public questions.

### **4. Questions from Members of the Public**

A question was received from Deborah Lawson who advised the council on Congleton's Equal Access Group response to the Government's Consultation on Hybrid meetings and asked if the Council would be supportive of the Government proposal. (See item 13.)

### **5. Urgent Items**

5.1 Robert Douglas Section 106 agreements (Appendix 1)

5.2 Richard Walton Talbot Street bin emptying (Appendix 1)

### **6. Town Mayor's Announcements and Engagements**

**CTC/60/2425 Resolved** to receive a list of the Mayor's engagements.

### **7. Minutes of the Planning Committee**

A proposal was put forward to approve all minutes of the committee meetings noting any amendments from Councillors.

**CTC/61/2425 Resolved to** approve the proposal to approve all minutes of the committee meetings.

**CTC/62/2425 Resolved to** approve and sign the minutes of the Planning Committee meetings held on the 12th of September and the 10th of October 2024

#### **7.1 Neighbourhood Plan**

Council received a verbal update from The Chief Officer who advised that the Regulation 14 consultation had closed and there had been 510 responses. There is a meeting scheduled with Cheshire East Council to agree next stage – the exact date is to be confirmed.

### **8. Minutes of the Community Committee**

**CTC/62/2425 Resolved to** approve and sign the minutes of the Community Committee meetings held on the 29th of August 2024

#### **9. Minutes of the Town Hall and Assets Committee**

**CTC/62/2425 Resolved to** approve and sign the minutes of the Town Hall and Assets Committee meeting held on the 5th September

#### **10 Minutes of the Environment Committee**

**CTC/62/2425 Resolved to** approve and sign the minutes of the Environment Committee meeting held on the 26th of September 2024.

**Noted that the minutes need to show that Cllr Heather Seddon stated a Declaration of Interest against Vale Allotments item and Cllr Richard Walton abstained**

#### **11. Minutes of the Finance and Policy Committee**

**CTC/62/2425 Resolved to** approve and sign the minutes of the Finance and Policy Committee held on the 19th of September 2024

##### **11.1 Budget Update**

- **CTC/63/2425 Resolved to** approve the overspends as listed.  
Cllr Robert Douglas raised concerns to the Chief Officer about not receiving the funding support for the repairs to the roundabout at Holmes Chapel, Sandbach and Newcastle road **Action** Chief Officer to provide an update at the next council meeting
- **CTC/64/2425 Resolved to** note current Management Accounts and variance explanations to Month 7.

##### **11.2 Annual Pay Award**

- **CTC/65/2425 Resolved to** approve and sign note the Annual Pay Agreement award for 2024-25 in accordance with the NJC agreement.
- **CTC/66/2425 Resolved to** note that the back pay due from 1st April 2024 to 30th November 2024 will be paid in December 2024 payroll.

##### **11.3 Investment Policy Update**

**CTC/67/2425 Resolved to** note the renewal of the Cambridge and Counties Fixed Rate bond. Noted that Cllrs S Radcliffe and R Walton Abstained

##### **11.4 Notice of Conclusion Report**

**CTC/68/2425 Resolved** to note the Conclusion of the Audit for the year ending 31st March 2024. Noted that Cllrs R Moreton and R Walton Abstained.

#### **11.5 Town Hall Charity Illumination Policy**

**CTC/69/2425 Resolved** to approve the draft Town Hall Charity Illumination Policy.

### **12. Minutes of the Personnel Committee**

**CTC/62/2425 Resolved** to approve and sign the minutes of the Personnel Committee meeting held on the 22nd February 2024.

### **13. Government Consultation on Hybrid Meetings**

**CTC/70/2425 Resolved to** agree to the following response to the Governments consultation on Hybrid Meetings.

**13.1** That councillors send individual responses to the consultation

**13.2** That the council does not agree with Proxy voting but may appoint a substitute for committee meetings **Action Officers to make relevant changes to the Constitution**

### **14. Proposed amendment to the Civic Protocol – Mayors Cadet**

**CTC/71/2425 Resolved to** make the following amendments to Civic Protocol in relation to the Mayors Cadet

14.1 That the Mayors Cadet can be selected from any youth group in Congleton

14.2 The title of the Mayors Cadet to be discussed with former Mayor Murphy and the Mayors current Cadet Barney Mitcheson

### **15. Resolution to Exclude the Public and Press from Item 16**

To consider passing a resolution in accordance with the Public Bodies (Admission to Meetings) Act 1960, that the public and press be excluded from the meeting due to commercial sensitivities.

**CTC/72/2425 Resolved to** not exclude members of the public and the press from item 16 as there were no commercial sensitivities

### **16. Update on the Decarbonisation of the Town Hall**

Council noted the Chief Officers update who advised that the designs for the potential projects of Air Source Heat Pump, secondary/double glazing and solar panels had been discussed with the conservation officer. Listed Building consent will be sought and so far the feasibility and economic perspective appear to be positive. Tendering for the 3 projects will commence early in the new year which will provide final costs for the projects as well as future operating costs.

It was noted that there is no cost to the council for the feasibility work that is taking place. A further £15k grant has been secured for additional decarbonisation/ environmental projects this needs to be spent by March the 31<sup>st</sup> 2025

Cllr Kay Wesley

Congleton Town Mayor

The meeting finished 20.55

### **Urgent Items Appendix 1**

5.1 Firstly, I would like to thank Councillor Emma Hall, who after 17 months of lobbying obtained from Cheshire East Council in October an analysis of outstanding S106 monies for the whole of Cheshire East, which consisted of 1,669 lines of information. Generally, the same S106 agreements appear several times within this document and some of the S106 agreements on this schedule are allocated to the incorrect Ward.

At the beginning of this year, residents on Thistle Way contacted me to advise that they were convinced that Section 106 monies in respect of their estate totalling £ 135,500 had not been received by Cheshire East Council.

I have completed various summaries of this detailed S106 information - by calendar year, by type of contribution – e.g. highways, education, green spaces etc and by development site.

Where possible, I have reconciled outstanding monies and monies not utilised totalling £ 5,000 or more back to the original S106 agreement.

I also had a meeting with our Chief Officer to ensure that I had correctly identified all those S106 agreements that relate to Congleton.

I then visited the residents of Thistle Way, who had raised concerns about £ 135,500 not being received. You can imagine their shock, when I revealed for just their estate that **based on Cheshire East Council's own figures**, it appears that S106 monies totalling just over £ 800,000 have not been received – of that it appears about £ 540,000 should have been received in around February 2019, almost six years ago and about a further £ 255,000 about three years ago.

To make matters worse, it appears that these S106 monies should have been collected from Stewart Milne, which went into receivership in January, 2024, which I fear means that these significant sums of money are irrecoverable.

In addition, again **based on Cheshire East Council's own figures**, it appears that over another £ 1,000,000 of S106 monies have not been received. We do not know how much of this is overdue but all but about £ 33,000 relates to S106 agreements signed in 2019 or earlier.

Furthermore, again **based on Cheshire East Council's own figures**, a further £ 575,000 has been received by Cheshire East in respect of developments within our town boundary, but have not been utilised. However, the Chief Officer has made me aware that discussions have been taking place between Ruth Burgess and ANSA about utilising significant sums of these S106 monies in Congleton Park, play areas and green spaces. These figures do not include outstanding liabilities in respect of the bridge linking Astbury Place with Congleton Park because no financial figures for the cost of this bridge are stated in that S106 agreement.

At the request of the Thistle Way residents, I raised these issues at yesterday's Cheshire East Full Council meeting with these residents in attendance. Although Cheshire East Council had been provided with my questions for over a week, I was advised that they needed more time to respond.

Apart from the bridge for Astbury Place, in all the S106 Agreements I looked at, Cheshire East's legal department appeared to have laid down clear trigger points setting out clearly when these S106 monies should be collected – a simple task but sadly one which apparently at times appears to be above the capabilities of Cheshire East Council to the detriment of our residents and our businesses. This is clearly an important issue that, I believe, we must regularly and formally review and therefore, for our next planned Council meeting, I am requesting that our Chief Officer puts forward a proposal for the formation of a sub-committee for S106 and CIL monies to ensure that our residents and businesses do obtain the appropriate benefits in a timely fashion from these sources of funding.

Cllr Robert Douglas

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5.2 Could I please bring to your attention the difficulties residents in Talbot Street are having in having their waste bins collected . This issue was highlighted by one of my residents , Ben Somers, who posted a less than complimentary post on Congleton Chats back today . But it's a also a very enlightening post worthy of our urgent assistance . The waste bins in that street haven't been emptied for six weeks , despite numerous complaints to Cheshire East by various residents Despite these representations by our residents, nothing happens and no resolutions are proposed - this clearly isn't acceptable and will very soon become an issue of public health .

Could I please ask my colleagues who sit on Cheshire East to follow Cllr Seddon, Cllr Hall & Cllr Radcliffe's efforts and take up the case with the authorities in the unitary authority to fulfil their statutory duties and ensure the residents of Talbot Stret have their waste removed in a timely matter.

If I could also ask if any of our Officers who also may have the appropriate links within Cheshire East to write to them requesting immediate resolution if possible.

Cllr Richard Walton

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