



SUPPLEMENTARY COUNCIL AGENDA

BUSINESS

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Yours faithfully

A handwritten signature in black ink, appearing to be 'S.M.', written over a horizontal line.

Chief Executive

NOTICE FOR COUNCILLORS

1. Fire/Bomb Alerts

In the event of the fire alarm sounding, leave the building immediately, following the fire exit signs. Do not stop to collect personal belongings, do not use the lifts.

Fire exits are to be found either side of the rear of the Council Chamber and at the rear of the Public Gallery.

On exiting the building Members, Officers and the Public must assemble at the car park at the rear of the Aspire Housing Office opposite to the Civic Offices. DO NOT re-enter the building until advised to by the Controlling Officer.

2. Attendance Record

Please sign the Attendance Record sheet, which will be circulating around the Council Chamber. Please ensure that the sheet is signed before leaving the meeting.

3. Mobile Phones

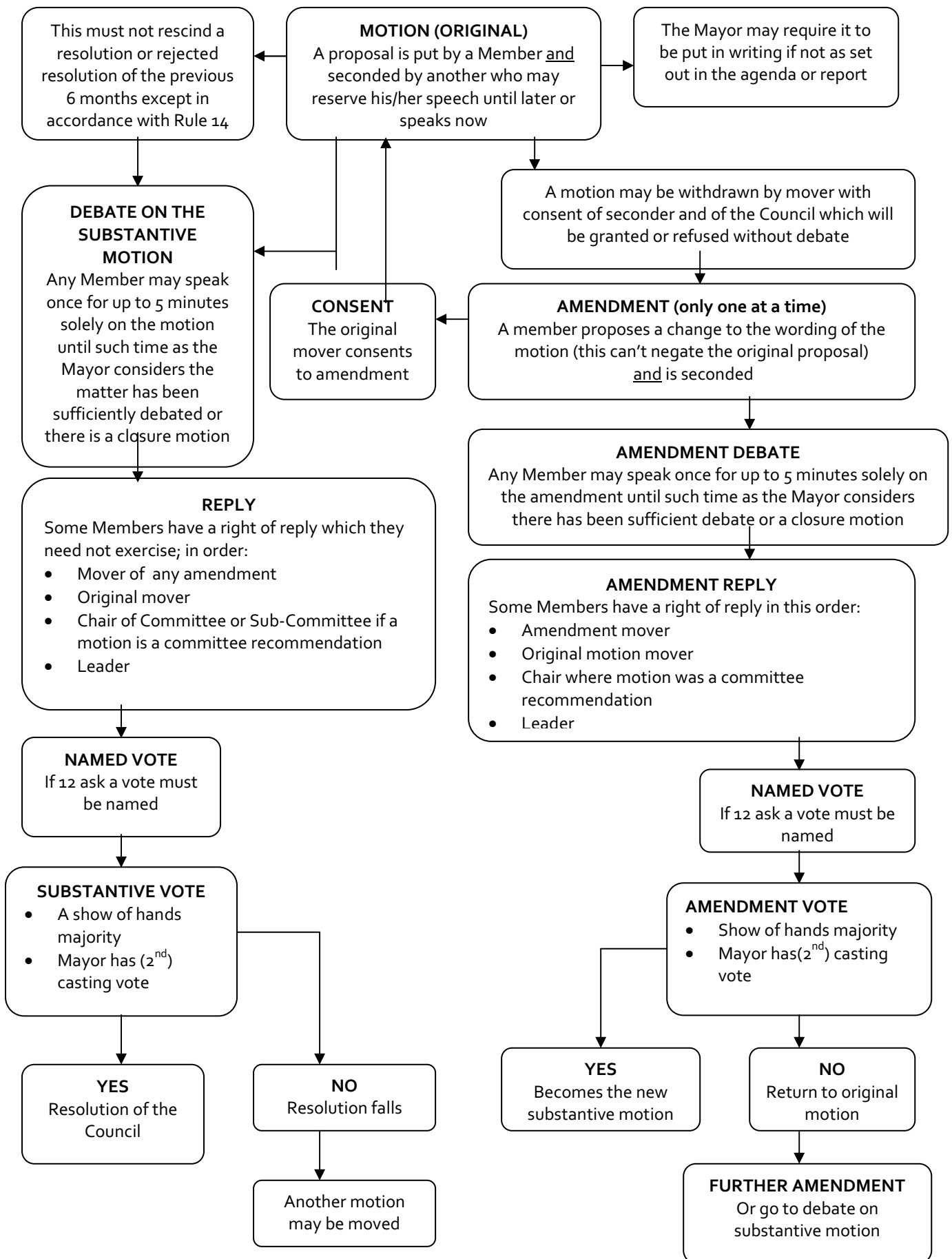
Please switch off all mobile phones before entering the Council Chamber.

4. Tea/Coffee

Refreshments will be available at the conclusion of the meeting, or in the event of a break occurring, during that break.

5. Notice of Motion

A Notice of Motion other than those listed in Standing Order 19 must reach the Chief Executive ten clear days before the relevant Meeting of the Council. Further information on Notices of Motion can be found in Section 5, Standing Order 20 of the Constitution of the Council.



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Finance, Resources and Partnerships Scrutiny Committee

Report to Full Council 25th February 2015

Since the last meeting there have been two meetings of the Committee and it has also held a Budget Scrutiny Cafe.

Meeting held 16th December 2014

The Constitution Review Working Group presented an updated version of Appendix 12 (Contract Procedural Rules) of the constitution and this was approved.

The Executive Director Resources and Support Services presented the Revenue Budget 20015/16 – First Draft Saving Plans. No additional information was requested.

Budget Scrutiny Cafe for Members held 13th January 2015

Attendance:

5 Officers

6 Cabinet Members

11 Members

Format:

5-minute slots in speed dating style.

This was relaxed on the night and where members wished to have more time, this was allowed as long as it did not unnecessarily delay any others who were waiting.

Questions:

It is difficult to be absolutely accurate about the numbers of questions asked, because many of the responses involved two-way discussions, but as a rough guide:

Finance and Resources

6 Questions related to the Council Tax freeze, S136 Grants and monitoring of Parish Council expenditure, LAPs /Streetscene, Income and Council-provided Ipads.

All were answered satisfactorily

Economic Development, Regeneration, Business and Town Centres

3 questions in relation to Asset Management, the Keele masterplan and the Local Plan which received a satisfactory answer.

There was a further question relating to “Squirrel control” for which an answer was provided later.

Leisure Culture and Localism/Environment and Recycling

4 questions about numbers of vehicles and recycling containers, the proposed recycling system and Public Conveniences were answered satisfactorily.

A question relating to proposed spending of £10k on Bateswood was answered later.

(General improvements to/replacements of seating, signage, fencing and paths)

The cost of the exercise was in the region of £200-250.

Meeting held 21st January 2015

The group reviewed the new proposed Elected Member/Officer Relations Protocol, and the Quarter Three Financial and Performance Review then moved on to the Treasury Management Strategy. There were no requests for further information in these areas.

Discussion followed in relation to the Budget Report with particular reference to the following areas:

- Minimum Revenue Provision
- Council Tax Freeze Grant
- The Council’s ability to create further efficiency savings
- Joint working with other local authorities
- The benefits associated with bringing the waste and recycling service in-house
- The purchase of and type of fuel used by the council
- Concurrent funding – the proposed reduction in the monies given to the town and parish councils, despite the recommendation of the Task and Finish Group, endorsed by FRAPS, that there should be no reduction.

Questions raised in relation to Scale of Fees and Charges report centred around the increases in fees for bereavement services and Jubilee 2 and whether concessions are available in respect of bereavement care services. There were also questions regarding the reasons for customers leaving Jubilee 2 and Kidsgrove Leisure centres. Further information was provided after the meeting.

Paul Waring

(Chair of Finance, Resources and Partnerships Scrutiny Committee)

Economic Development and Enterprise Scrutiny Committee

December 3rd 2014

Newcastle Town Centre Partnership

A report on performance during Quarter 3 was received. It was pleasing to note that Property Vacancies in the Town Centre had dropped and that special activities – especially in connection with the Christmas period – continued to be successful. Unfortunately trading is generally below the national average – particularly with relation to Cards, Jewellery and Food – according to Retail Index data.

Kidsgrove Town Centre Partnership

The Chair's report was received but, as the Chair was unable to attend, it was difficult to ask meaningful questions. There remain some concerns regarding the use of the money provided by the Borough to support Go Kidsgrove enterprises and the CIC has been asked to provide a full financial statement to the next EDE meeting.

Newcastle Housing Advice Monitoring

The statistics for Quarter 2 were received. It was generally acknowledged that Performance Indicator targets were being met.

Joint Housing Allocations Policy Review

This concerns the review of the Assessment of Registered Provider Tenants and the administration of the Housing Register. The consultation progress was discussed and was generally favourably viewed.

Newcastles Of The World

Following discussion it was agreed to recommend to Cabinet that financial support to this organisation should cease.

Ryecroft Development

The Committee examined the development proposals from three prospective developers. It was decided to recommend to Cabinet that the developer of the scheme that is offering an interesting mix of retail and residential use should be given Preferred Developer status.

Portfolio Holder's Question Time

An interesting and informative question and answer session was held.

HS2

It was agreed that the HS2 Working Group should meet to discuss the Secretary of State's decision to safeguard the section from Fradley to Crewe. The purpose of that meeting would be to recommend a response that could be used by the Borough in the consultation process.

Dave Stringer

Chair

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Health and Wellbeing Scrutiny Committee Meeting - 7 January 2015

Elizabeth Jarrett from Staffordshire Healthwatch gave a presentation on an Engagement Event held in conjunction with Staffordshire Moorlands district Council in Leek. Its purpose was to enable the public to find out more about the health and social care services and an opportunity to ask questions of senior health providers during a public question time. It was felt to be a success and it was hoped a similar event could be held in conjunction with Newcastle Council. Members were in favour of the event and a small working party was established to work with Healthwatch to look at how it could go ahead.

Portfolio Holders' Question Time

Councillor Kearon sent a report covering the health and wellbeing issues in his portfolio including drug and alcohol dependency; safer nights strategy; campaigns to raise awareness of the problems associated with excessive alcohol consumption; mental health and public safety; young people and the impacts of violent crime and finally purposeful activities for young people.

Councillor Williams sent a report covering the health and wellbeing issues in his portfolio including the Better Care Fund; Local Commissioning, which included the Newcastle Partnership Strategic Framework.

Councillor Hambleton presented the health and wellbeing issues in his portfolio which included the Leisure and Culture Services role in the local delivery of sport and active lifestyles and working with local sports clubs and strategic partners; the health cost of inactivity in Newcastle; financial investments made in the borough through sport and finally new work streams starting this year.

A number of points were raised and further information was requested from all portfolio holders.

Modernisation of Day Centres For People with Learning Difficulties

Staffordshire CC were in the consultation stage where they were consulting people around the future of Kidsgrove Day Centre. The committee had a document from the county explaining the reason for the review and the options open to them. These included:

Option 1 – Keep Kidsgrove Service open and operated by the Council

Option 2 – Keep Kidsgrove Day open, but operated by another provider

Option 3 – Develop personalised day opportunities for all eligible people and discontinue the service from Kidsgrove Day Service, closing the building once all alternatives are in place

It was resolved on the evidence provided to the committee, the members were opposed to the closure of Kidsgrove Day Centre and this response be sent to Staffordshire County Council.

Code of Joint Working

The code of joint working had been discussed on previous meetings and it was resolved the committee receive the code of Joint Working arrangements.

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Chairs Report of the Audit & Risk Committee – 16 February 2015

Quarterly Risk Report – this report looked at the new risks that had been identified between October and December 2014.

Internal Audit Quarterly Reports on progress and recommendations - relating to Quarter 3 were presented to the Committee. Members expressed their concerns with regards to the audit that had been completed in respect of the Council's Website which had received an assurance opinion of 'poorly controlled' and it was requested that a detailed action plan be brought back to the next meeting of the Committee which is scheduled for April 2015.

Internal Audit Plan 2015/16 – the Internal Audit Plan for 2015/16 was presented to the committee. The Plan for 2015/16 provides for 500 audit days, and is based on a full risk assessment of each audit area which considers expenditure, income, management controls, operational practices, political and legislative influences and the risk of fraud. A number of new areas have been identified for review during 2015/16; these include Safeguarding, Locality Commissioning, The Transparency Agenda and Ethical Governance.

As part of this report the Audit Manager also provided the committee with an update in relation to a new audit management system that will be implemented during 2015/16. The new system will provide a new and efficient way of working for the Internal Audit Service in that the system is fully integrated with the capability of automatically producing an audit report from the compilation of audit working papers; in addition the system provides an automated recommendation tracking facility.

External Audit Reports – Grant Thornton presented two reports one in relation to the Certification work that is undertaken in relation to the Housing Benefit Subsidy Grant and the second was a general update in relation to the progress on their work in relation to the final accounts

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Chairs Report - Planning Committee

The planning committee has met 3 times since the last full council meeting. Decisions can be found in the minutes of the meeting and via the online planning portal.

In line with the recommendations of the Planning Peer Review, the planning committee has moved to a four weekly cycle. In addition to the change in cycle, planning policy items will be discussed at separate meetings. This ensures the items receive appropriate consideration and pressure on already congested committee agenda's can be relieved. The first of these is to be held on 19th March 2015.

The appeal decision regarding the proposed development of 113 houses at Gateway Avenue was received in January. The inspector ruled in favour of the developer and outline permission for the development was granted. Whilst many members were disappointed with this decision the inspector has clarified several important factors that should be considered when deciding future applications.

Firstly the inspector has highlighted that the council's policies are to receive very little weight due to the absence of a 5 year housing land supply.

With regards to the 5 year housing land supply; the inspector highlighted that a 20% buffer needs to be applied when determining the land supply, rather than the 5% buffer required nationally. Despite over delivery against housing targets for the past two years (with this year following the same trajectory), the chronic under delivery in the previous 6 years (which equates to a deficit of 1 years supply) means it can not be deemed that the council has consistently delivered its target number of houses. As a result a 20% buffer must be applied. This has huge ramifications for the council's future ability to deliver a 5 year housing land supply. Despite the councils witness advocating for the existence of a 5 year housing supply (in contradiction to the position of officers), even he agreed that the council would not have a 5 year housing land supply based on his assessment if the 20% buffer needed to be applied.

Further detail can be found in the appeal decision document which is on the councils planning portal.

Training dates for members will be forthcoming and all members are encouraged to attend whether they sit on the planning committee or not.

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The Crewe Arms, Madeley.

An update.

In June 2014 the Licensing sub committee revoked the licence for the sale of alcohol and the entertainment licence. Punch Taverns were going to take our decision to a review, however after negotiations with our Legal Department and Licensing Sub committee Punch Taverns agreed to remove the DPS. This has taken rather a long time, however finally the DPS was evicted on February 4th. The pub is now closed and Punch Taverns are advertising for a new tenant.

Cricketers Arms, May Bank, Newcastle.

November 27th 2014.

The Review was undertaken because of Residents complaints.

The Committee imposed conditions on the granting of the Licence i.e. closure of windows, monitoring of the car park and bottling to take place in the morning.

The Licence was granted to allow a 20 minute drinking up time Monday to Saturday. Patrons are expected to have vacated the premises by 11.20 p.m. Monday to Saturday and by 10.50 p.m. On a Sunday.

Talke Convenience Store, Unity Way, Talke.

December 9th 2014.

Residents expressed concerns about the shop selling alcohol during opening hours.

The sub Licensing Committee granted a Licence to sell alcohol during opening hours. There had been no objections from the Police and as the evidence from the residents was speculative rather than empirical we had to allow this Licence.

Audley Newsagent, Church Street, Audley.

26th January 2015.

There had been one objection from a local resident, however the Committee in considering the evidence took into account the Daniel Thwaites case in 2008 in which it was held that all determinations of licensing applications should be made on empirical evidence and not on speculative evidence. The Police had no objections. The applicant offered to put in an extra litter bin and to arrange a litter sweep outside the premises after the closure of the premises.

The sub Licensing Committee granted a licence to sell alcohol during the opening hours of the premises.

The King William IV, High Street, Talke Pits.

January 22nd and January 27th 2015.

The Review was to take place on January 22nd but was cancelled due to the non appearance of the Premises Licence Holder and was moved to January 27th.

Environment Health brought the review on the basis that the premises had contravened the requirements of the Licensing Act by playing amplified live music and recorded music at excessive volumes both during licensed hours and on a number of occasions after midnight and into the early hours of the morning in contravention of the times that the premises license authorised the carrying out of licensable activities and also issues relating to the management of patrons using the exterior parts of the premises in connection with noise and nuisance. Residents also made complaints. This had been on going since April 2014.

Staffordshire Police also asked for review as there was evidence of drug taking on premises and also the premises failed a compliance test operation where a young person aged 16 was sold an alcoholic drink and they had been called out on several occasions because of fighting around the premises. Environmental Health and Staffordshire Police had tried to work with and advise the DPS about the management of a Public House.

After reading a large amount of evidence from Environmental Health and Staffordshire Police the Licensing sub committee decided that the premises licence shall be suspended for three months in order to enable noise attenuation and sound proofing works at the premises be completed. Secondly, that no further entertainment be held at the premises until the noise attenuation works and sound proofing at the premises had been completed to a specification and standard agreed by the Environmental Health Department. Thirdly, that the hours for carrying out licensable activities be reduced.

The Committee also warned the licence holder that any further breaches of the licence conditions could result in a further review of the premises licence and possible revocation thereof. A written decision was issued to that effect.

(The Licensing sub committee would like to commend Environmental Health and Staffordshire Police for their detailed and clear evidence given to committee to enable them to come to their decision).

Lace Gentlemen's Club.
February 17th. 2015.

A Review of the licence was undertaken by the Licensing Committee and as there were no objections from the public or the Police the Licence was granted.

Public Protection Committee Chair's Report

22/12/14

Air Quality Management areas for Newcastle

A statutory progress report was presented to the committee in respect of air quality management in the borough and a discussion took place around what work would be required as a result. A previous report on this issue had been received in August 2014. Members were informed that technical guidance was given to identify appropriate locations and vehicle counts were also carried out to assess the weight of the traffic. The committee resolved that Air Quality management Areas be designated in the following areas:

- Liverpool Road Kidsgrove,
- Newcastle-under-Lyme Town Centre
- May Bank
- Wolstanton
- Porthill
- Little Madeley

It was also resolved that area specific Action plans be developed to manage the Air Quality Management Areas within 12 months of the designation.

26/01/15

Operator Fees 2015

The committee were asked to look at the proposals for an increase in the licensing fee for a private hire operator licence as part of the 2015/16 budget process, from £82 to £85 per vehicle. The report set out options for the future charging of this fee, which took into account the objections received and also sought to ensure that the costs to the Council of administering the process underpinning the setting and collection of the fee were covered by the amount charged, together with seeking to ensure – so far as is possible – that the setting of such fees was fair and equitable for all concerned. Members weighed up all of the options and took into consideration the representation from the trade. The committee decided to accept the small increase as set out in the budget proposals for 2015/16.

24.02.15

Draft Taxi Licensing Policy

The committee were asked to consider the responses received in relation to the Draft taxi Licensing Policy for Newcastle-under-Lyme and that a final agreed Taxi Licensing Policy be brought into practice from the 1st March 2015. Representation from the trade raised concerns with regards to the consultation process 15 minutes before the committee meeting. Due to legalities with regard to consultation processes, it was decided by the committee to defer this item to a future or special meeting. This would allow officers to check that the consultation was fit and proper, so that any decisions to change licence policy is fair.

Allotment Provision in the Parish of Silverdale

The committee were asked to endorse the decisions of Cabinet in respect of the Acre Allotments in the Parish of Silverdale. The Public Protection committee were also asked to endorse the lease of part of The Acre and the termination of the allotment tenancy agreements as resolved by Cabinet. The committee agreed that it was a positive step for the Parish Council to take on the management of the Allotments to allow some local ownership. The committee resolved to accept the recommendations and endorsed Cabinet decisions.

Chairs Report of the Standards Committee – 28 January 2015

This was the first time that the committee had needed meet since 11 November 2013 and it considered two reports;

Adoption of New Code of Conduct for Elected Members – the current member code was last reviewed in 2012. The new code has been updated to reflect best practice. This report had also been to the Constitution Review Working Group and the Finance, Resources and Partnerships Scrutiny Committee. It is also presented to this Council tonight as part of a number of constitutional updates.

Local Government Ombudsman Annual Letter January 2015 –this provided a review of the complaints dealt with during 2013/14. In summary of the 24 complaints dealt with; 5 were upheld; 3 not upheld 2 where advice was given; 8 were closed after initial enquiries; 1 was held to be invalid and 5 were referred back for local resolution.

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QUESTION 1:

Cllr Sweeney

The Leader used his recent column in The Sentinel (17 Feb 2015) to make the claim that "when Labour took control of the council in 2012, we found it in a terrible state, financially on the brink of bankruptcy with no clear plan to correct its path".

How does he explain the 2011/2012 Audit Commission report that praised the Council's arrangements to secure financial resilience, and will he confirm that the council was not at risk of bankruptcy?

Quote from Audit Commissions Report 2011/2012

Under Findings

"You are prioritising resources within tighter budgets and set out the vision, approach and detailed plans to reduce costs in line with corporate objectives. You have identified potential efficiencies by undertaking service reviews and have a clear and effective approach to reviewing services."

Under Financial resilience

"The Organisation has proper arrangements in place to secure financial resilience"

"The Organisation has robust systems and processes to manage effectively financial risks and opportunities and to secure a stable financial position that enables it to continue to operate for the future"

QUESTION 2:

Cllr Sweeney

The Leader has stated that the "people of Newcastle will be faced with increases on their council tax from both the Conservative-led county council and Conservative Police and Crime Commissioner, both at a 'referendum avoiding' 1.9 per cent." (The Sentinel, 17 Feb 2015)

Will the Leader withdraw his untrue claim that the Police Commissioner intends to raise the precept, and issue a public apology and correction, confirming that the police precept is frozen this year?

Cllr Loades

Question 3

Can the Portfolio holder inform Council of what action he is currently taking to resolve the current lack of a 5 year housing supply and when we can see a speedy resolution to this unacceptable situation ?

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