

# Public Document Pack

**Date of meeting**      **Wednesday, 5th June, 2013**

**Time**                      **7.00 pm**

**Venue**                      **Committee Room 1, Civic Offices, Merrial Street,  
Newcastle-under-Lyme, Staffordshire, ST5 2AG**

**Contact**                      **Louise Stevenson ext 2250**

## **Cleaner Greener and Safer Communities Overview and Scrutiny Committee**

### **AGENDA**

#### **PART 1 – OPEN AGENDA**

- 1      Apologies**
- 2      DECLARATIONS OF INTEREST**  
To receive declarations of interest from Members on items included in the agenda.
- 3      MINUTES OF THE PREVIOUS MEETING**                      **(Pages 1 - 6)**  
To receive the minutes of the previous meeting of this Committee held on 28 February 2013.
- 4      THE ALCOHOL ACTION PLAN**                      **(Pages 7 - 8)**  
To provide a briefing note to update the Committee on current developments.
- 5      ANTI-SOCIAL BEHAVIOUR**                      **(Pages 9 - 12)**  
To consider a briefing note regarding anti-social behaviour and to discuss whether the Committee wish to develop a scrutiny brief in order to undertake further in-depth scrutiny of the issue.
- 6      JOINT MUNICIPAL WASTE MANAGEMENT STRATEGY FOR**                      **(Pages 13 - 16)**  
**STAFFORDSHIRE -DRAFT DOCUMENT FOR CONSULTATION**  
To consider a briefing note regarding the Joint Waste Management Strategy for Staffordshire and the draft document for consultation.
- 7      WORK PLAN**                      **(Pages 17 - 24)**  
To discuss and update the work plan to reflect current scrutiny topics and to discuss and identify topics for scrutiny activity for the 2013/14 municipal year.
- 8      ANY OTHER BUSINESS**

To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act 1972.

**Members:** Councillors Allport, Hailstones, Mrs Johnson (Vice-Chair), Miss Mancey, Plant, Miss Reddish, Robinson, Mrs Simpson, Tagg, Wemyss and Mrs Williams (Chair)

**Members of the Council: If you identify any personal training/development requirements from any of the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Democratic Services Officer at the close of the meeting.**

**Meeting Quorum**

**16+= 5 Members; 10-15=4 Members; 5-9=3 Members; 5 or less = 2 Members.**

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

# Public Document Pack Agenda Item 3

## CLEANER GREENER AND SAFER COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE

Thursday, 28th February, 2013

**Present:-** Councillor Mrs Gillian Williams – in the Chair

Councillors Councillor David Allport, Councillor Mrs Silvia Burgess, Councillor Peter Hailstones, Councillor Kyle Robinson, Councillor David Stringer, Councillor Stephen Sweeney and Councillor Simon Tagg

### 1. APOLOGIES

Apologies were received from Councillor Mrs Johnson

### 2. DECLARATIONS OF INTEREST

There were no declarations of interest given.

### 3. MINUTES OF THE PREVIOUS MEETING

**RESOLVED:** That the minutes of the meeting held on 5 December 2012 be agreed as a correct record.

### 4. THE CARBON MANAGEMENT PLAN

Consideration was given to a report updating Members on the Carbon Management Plan and to note the progress of the projects in the current plan.

The Council had a Carbon Management Plan to deliver a reduction in carbon emissions from operations and estates by 30%, or 1,200 tonnes, from a baseline established in 2009/2010. To date, 290 tonnes had been achieved which equated to 25% of the target figure.

A number of projects had been proposed for 2013, but most did not have the required funding. Numerous projects had been put forward for the Invest to Save project, but there had been no communication as to whether they had been successful. Funding methods were being investigated.

LED lighting was being considered for the Civic Offices and a company had been approached who could install it free of charge. The savings which could be created by installing the lighting would be assessed, and the figure arrived at would normally be split equally between the company and the Borough Council. There were various other funding schemes that were based on the same principle.

Members questioned the Invest to Save scheme and if there were any priorities for allocating funding. It was possible that priority would be given to schemes that would create the best payback in the shortest period of time. The exact sum that was available for Invest to Save was not known.

**Resolved:** That the information be received.

## 5. ALCOHOL STRATEGY - UPDATES ON PROJECTS

Members considered a briefing note from Trevor Smith – Community Safety Officer - which provided an update on the two projects relating to the Council's Alcohol Strategy; the School Based Programme and the Strengthening Families Programme. Both projects had been included as part of the Newcastle Partnership Work Programme.

With regard to the school based programme, a half-day workshop had been held in early January 2013. A lot of early implementers attended the workshop, but Newcastle-under-Lyme schools had not been in attendance. The matter had been discussed at the Newcastle Partnership Delivery Group and Chief Inspector Hulme was to contact the schools to get them involved. When schools were fully on board with the scheme there would be further workshops.

The Council's Community Safety Officer (Trevor Smith) would meet with Gill Venables and Nigel Manning to ensure input at a local level and the Officer would also be liaising with key partners.

Members questioned whether children from all backgrounds would be included in the scheme; as alcohol abuse did not just happen in socially deprived homes. There would be a thorough evaluation of the progress of the scheme, which should encompass children and parents from across the board.

It was also questioned whether children would be educated about the physiological aspects of alcohol abuse through the scheme. Alcohol abuse could affect almost every aspect of a person's life and the Community Safety Officer concurred that the programme needed to encompass all aspects of alcohol abuse.

The Strengthening Families Programme covered children aged 10-14 and looked at issues such as anti-social behaviour, substance misuse, alcohol fuelled violence and domestic abuse. The District Commissioning Lead, Mark Hewitt, would take the project forward due to the cross over with the Troubled Families agenda. This was considered sensible as the District Commissioning Lead would liaise with local support teams.

Members questioned the training that had been delivered, as referred to in the briefing note. The Community Safety Officer was not privy to the details of the training as it had taken place prior to his involvement in the project, but it was thought it included how to deal with anti-social behaviour etc. Members questioned whether they could have access to this training. Funding would be the issue, but when funding was available it could be put forward if it was thought there was a gap to be filled. Members also expressed their interest in getting involved with the strategy and in visiting schools. The Community Safety Officer considered that the Members would be very welcome to become involved and could be included when there were timescales and a project plan in place.

**RESOLVED:** That the information be received.

## 6. LET'S WORK TOGETHER

The Committee considered a report from Mark Bailey, Head of Business Improvement & Partnerships, regarding the Let's Work Together (LWT) initiative,

which had been designed to ensure that home visitors were equipped with the basic skills to spot risks in and around the home, and to provide home visitors with the tools to refer such issues to the appropriate organisation. LWT stemmed from the Olive Branch Initiative, where an elderly lady had died in her own home - the death could have been prevented by partners working together.

LWT was officially launched in Newcastle in November 2012 and the first training module took place earlier in the day on 28 February 2013. There were a number of focus areas for the project, including information sharing between partners. A lot of progress had been made with regard to information sharing, including the development of a One Staffordshire Information Sharing Protocol and also the development of software to share data (Patchwork).

This kind of partnership working was considered positively by Members, who felt that it was important for the private and the public sectors to work together. Members had previously asked whether they would have the opportunity to take the Olive Branch training and questioned whether there had been any developments with this. There was the intention to roll out the Olive Branch training to other organisations and there was no reason why Members could not be included. The Chair felt that it should be ensured that Members were given the opportunity to take the training.

The Council's Anti Social Behaviour (ASB) Co-ordinator gave a summary of the training that had taken place that day, with the training presentation being distributed to the committee. There had been good attendance and discussion regarding what the Council offered for vulnerable people and the action that was taken against the perpetrators. This was module 1 of the training, the attendees had highlighted other people who would benefit from the training and the Council had been requested to conduct another session in April. 85% of the attendees had been satisfied with the training.

The ASB figures contained in the presentation were split into Local Authority Partnership (LAP) areas, and ASB figures would be provided at LAP meetings to ensure LAPs were kept informed. Members considered that there was a difference in the populations across the LAP areas and Newcastle Borough should be considered as a whole in terms of ASB. It was also advised that there were trends with ASB and figures would change from month to month for different areas.

Members felt the 236 cases of ASB that had been received via the Community Safety Team seemed a high figure, and asked if there were comparative figures for other authorities. These would be provided by the ASB Co-ordinator. The ASB Co-ordinator advised that the profile of the service offered by the Council could be raised, as a lot of residents were not aware of it. There were referrals from the Police, who dealt with criminal activity as opposed to the Council who dealt with ASB. Members noted that the ASB figures could be higher than 236 cases as a lot of cases could go unreported. The ASB Co-ordinator concurred and asked for Members to let her know if they were aware of any residents suffering due to ASB.

A report regarding anti-social behaviour would be brought to a future meeting of the Committee. The obvious focus for LWT was for the prevention of incidents; however more modules were being planned to focus on risk areas such as debt, and Members were encouraged to get in touch with the Head of Business Improvements and Partnerships if they had ideas they wished to put forward for this.

The Head of Business Improvements and Partnerships would work with the Scrutiny Officer with regard to holding a Members training session for the LWT initiative.

**RESOLVED:** (a) That the information be received.

(b) That comparative figures for anti-social behaviour be provided to the Committee.

(c) That a report regarding anti-social behaviour be received at a future meeting of the Committee.

(d) That a Member training session for the Let's Work Together initiative be held.

7. **UPDATE ON THE STRONGER AND SAFER COMMUNITIES STRATEGY**

The Committee considered a report providing an update regarding the Stronger and Safer Communities Strategy 2012-2017.

There were a number of key areas of focus for the Strategy e.g. the Let's Work Together initiative, Building Resilient Families and Communities, and developing a social enterprise. The work programme at appendix c of the report was being taken forward and it was hoped that the Police and Crime Commissioner would attend a future meeting of the Committee. It was also hoped that the LAPs would be able to play a part in the delivery of the Strategy.

**RESOLVED:** That the information be received.

8. **WORKING GROUP UPDATE - THE MOVE OF THE MAGISTRATES COURTS FROM FENTON TO NEWCASTLE**

The Committee considered a report which provided an update of the progress to date of the officer and partner working group that had monitored the move of the Magistrates Courts from Fenton to Newcastle.

The court move had gone quite smoothly; there had been no major issues relating to anti-social behaviour and no spikes in crime figures. The working group had met a number of times and it had been decided to review the matter in six months. However, the working group would reconvene should any issues arise in the meantime. The Partnerships Team would also pick up any issues that arose. Community Safety officers had visited town centre off licences and stressed the importance of off licences trading as they should so there was not a steep incline in anti-social behaviour. Fortnightly conversations were being held with newsagents.

Members felt it was encouraging that there were not the problems that had been anticipated for the court move. There was one area of concern raised with regard to litter around the ring road near the courts, which had not been there prior to the move, and Members questioned whose responsibility it would be to clear the litter. The Executive Director, Operational Services would arrange for Streetscene officers to visit the site.

**RESOLVED:** (a) That the information be received.

(b) That further to Member's comments, the issue of litter around the courts be addressed.

9. **WORK PLAN**

There was discussion of the Committee's work plan. A report would be brought to the next meeting of the Committee regarding anti-social behaviour as discussed during agenda item six.

Members stated that there was illegal parking being carried out in Audley and were concerned it was causing a danger to members of the public. It was requested that the Council's Engineering Manager be invited to a future meeting.

**RESOLVED:** (a) That the work plan be noted.

(b) That the Council's Engineering Manager be invited to a future meeting regarding illegal parking.

10. **URGENT BUSINESS**

There was no urgent business considered.

**COUNCILLOR MRS GILLIAN WILLIAMS**  
**Chair**

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## NEWCASTLE BOROUGH COUNCIL

### Briefing Note for Scrutiny – June 2013

#### The Alcohol Action Plan

As the alcohol action plan is so broad we have decided initially to concentrate on two key projects:

#### ***Early Intervention/Prevention Project in Schools***

##### **Background**

The aim is to secure support for the introduction of a comprehensive prevention and education programme within key Secondary Schools within Newcastle Borough. The key component of the project is the revamping of the Personal, Social, Health and Education (PSHE) agenda. The PSHE work underpins the entire project. This project is multi-faceted as it incorporates the following elements:

- On-line pupil survey undertaken at key stages throughout the project;
- Social norms approach to alcohol education;
- Parental surveys designed to engage Parents/Carers in the project;
- One meeting per term via district forums;
- One to one support if needed.

The project promotes flexibility on commitment of participation, there may be elements of the project for example the Parental surveys which Schools may not fit into their way of working.

Entrust (formerly Education Transformation) has been awarded the contract to initiate this programme of change.

Currently over 40 front-line Learning Support Families First staff have been trained up to deliver the resources within the Schools.

Several Newcastle-under-Lyme Schools were invited to participate in a Schools forum workshop on 1<sup>st</sup> February however none could attend.

##### **Current Developments**

Jo Abbott from Entrust who is co-ordinating the project in the North of the County arranged a catch up meeting with the Schools who couldn't attend the initial workshop on 1<sup>st</sup> February. The meeting took place on 23<sup>rd</sup> April and was attended by representatives from Clough Hall, Cedars PRU, St John Fisher, Clayton Hall and also Nigel Manning (Alcohol Change Lead), Steve

Lovatt (Police), Sarah Moore (NBC), Trevor Smith (NBC) and Adam Brunt (T3). Unfortunately the Schools didn't sign up there and then but promised to take the proposal back to their respective Schools.

Jo Abbott has since chased this up and has had no response from these Schools. Sarah Moore has made contact with Mark Heuston (Headmaster at Clayton Hall and also Chairperson of the local Headteachers forum) and arranged for myself and Jo to attend the next meeting on 3<sup>rd</sup> July. Hopefully after that meeting the Schools we have identified will officially sign up to the project.

Sarah will hopefully be meeting up with Mark in the interim and will do some groundwork.

### ***Strengthening Families Programme***

#### **Background**

This project covers ages from 10 to 14 and looks to prevent and deter a number of issues such as anti-social behaviour, substance misuse, alcohol fuelled violence and domestic abuse. It is a prelude to the Troubled Families agenda which focuses on intervention after the event has occurred. Although this project has been driven by Staffs County Council the Alcohol Change Lead has asked each District to take some local governance over this project.

Current progress: Learning Support Teams have been engaged, training has been delivered, extra funding is being sought, and a course approach with looked after children and parents with drug issues are being formulated.

#### **Current Developments**

I am awaiting an update from Mark Hewitt the County District Commissioning Lead for Troubled Families and will be able to give a verbal update at the next Scrutiny meeting.

#### **Trevor Smith**

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## **NEWCASTLE BOROUGH COUNCIL**

**Briefing Note for Scrutiny – June 2013**

### **Anti Social Behaviour in Newcastle Borough**

#### **Overview**

Newcastle Borough Council adopts a zero tolerance Anti Social Behaviour Policy and works on a multi agency approach in line with other partners to tackle anti social behaviour. Focus is given to those victims of anti social behaviour and to the resolving of any anti social behaviour issues through early intervention and prevention measures for offenders whilst recognising that in some circumstances enforcement must be taken. This approach is adopted in line with current legislation and to optimise community sustainability.

#### ***Changes / Implementations in Service***

##### **Service Level Agreements – Staffordshire Young Peoples Service**

A recent service level agreement has been implemented between Staffordshire Young Peoples Service and Newcastle Borough Council. This agreement outlines how we shall work in partnership to resolve any anti social behaviour caused by younger people in and around Staffordshire County Council Youth Clubs.

##### **Service Level Agreements – Supported Housing Providers**

Recent conversations have been had with supported housing scheme providers and landlords in relation to working effectively together to support the resolution of any complainants concerns in relation to tenants or occupants of these properties causing harassment, alarm or distress.

##### **Building Resilient Families and Communities**

It has been identified that individuals who are currently being monitored by the Borough Council jointly with the Police for their involvement in anti social behaviour are in need of further support directly for themselves but for their immediate family also. Building Resilient Families and Communities initiative was originally called 'Troubled Families' and it has been acknowledged that the Borough Councils Service that offers support and resolution to anti social behaviour issues in dealing with individuals who would meet the criteria for support under this initiative need to play an integral part in the referring and leading on support programs for these children and families. The Borough Council arranged a meeting with all involved in the Newcastle Community Safety Partnership which involved representatives from the Police, Youth Offending, Probation, Housing Associations, School representatives and representatives from the Health and Social care departments amongst others. The collating of families for the Building Resilient Families and Community that the Newcastle Community Safety Partnership want to put forward to Staffordshire County Council to be considered for this initiative were co ordinated by the Community Safety Officer leading on anti social behaviour. In total, the Newcastle Community Safety Partnership have referred 103 families for this support.

## CRM

The CRM shall soon be developed to give a more consistent and customer focused way of dealing with anti social behaviour complaints at the complainant's first point of call. This is currently in the process of being developed and changes in the way that Customer Services deal with Anti Social Behaviour shall change, complainants shall also be asked to complete an assessment of vulnerability which will help to identify the priority of need for support for these individuals.

## Let's Work Together

It has been identified that through the success of the Lets Work Together training earlier on in the year that the module including the presentation in relation to how Newcastle Borough Council effectively deal with Anti Social Behaviour as a service that other services have identified the need for this to be presented again.

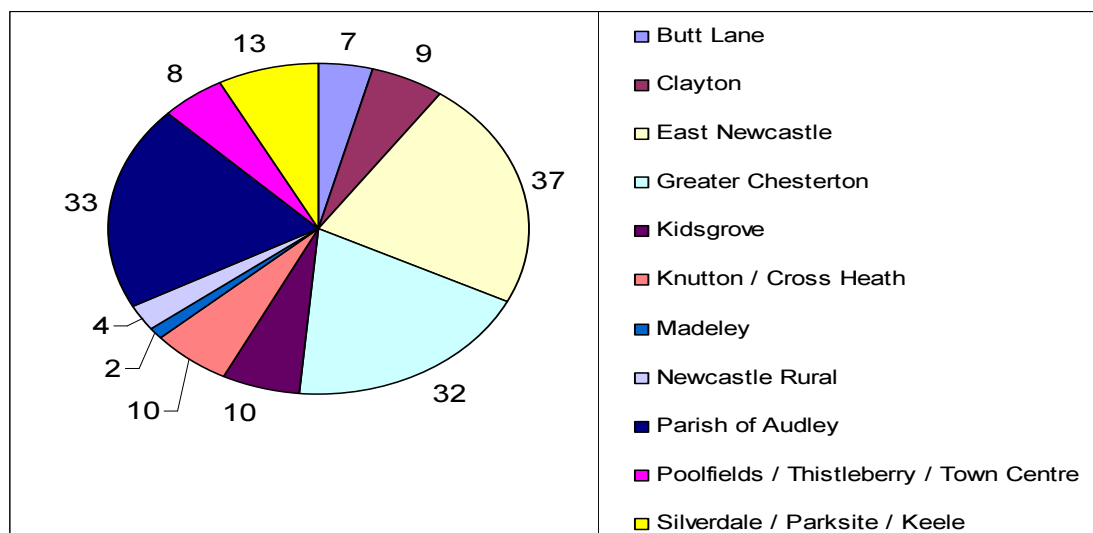
## Health and Social Care

The Partnerships Team at the Borough Council that deals with Anti Social Behaviour have had meetings with the Local Support Teams from Families First as to how we optimise effective joint working to offer support to individuals and their families where there are offenders of anti social behaviour. Families First shall be attending all Anti Social Behaviour Case Conferences and the Anti Social Behaviour Lead at the Borough Council will be initiating Child Assessment Framework meetings and be attending child protection and core group meetings. Meetings with Mental Health Services and Addiction services are also ongoing.

## School Work

A program of works shall look to be implemented across some schools within Newcastle Borough Council relating to Anti Social Behaviour and the effect this has on individuals both the victim and perpetrator and the consequences of this behaviour. Schools have now become involved in playing an integral part in witnessing individuals Acceptable Behaviour Contracts.

## Quarter 1 2013 - ASB Figures Specific to LAP Areas



- 165 Anti Social Behaviour Complaints received via the Community Safety Team, 62% resolved and closed successfully.
- 6 Vulnerable Victims Referrals / 18 ASB Case Conference Referrals
- 5 Acceptable Behaviour Contracts / 3 Mediation Referrals / 20 LST & Support Referrals / 5 NRP Referrals / 7 Victim Support Referrals
- Drug Activity & Substance Misuse 10% / Fires 10% / Gang Nuisance 30% / Intimidation & Threatening Behaviour 10% Motorbike Nuisance 0% / Neighbour Nuisance 20% / Park Nuisance 0% / Vandalism 20%

### **Current Community Specific ASB Projects For Discussion at Scrutiny Meeting**

- McDonalds Wolstanton
- Chesterton Vision & London Road
- Fishing Project Greater Chesterton
- Partnership Agreement with Stoke on Trent Safer City Partnership.
- Lyme Valley – Clayton
- Roaming Horses – Lower Milehouse / Cross Heath
- Rye croft & Liverpool Road ASB – Newcastle Town Centre
- Silverdale Youth Diversionary Project
- Audley Allotments
- Hulstone Pub - Crackley

### **Considerations**

- Implementation and launch of Newcastle Borough Councils Anti Social Behaviour Policy and Procedure in line with other Partners to reflect current legislation and ways of working specifically on a multi agency basis;
- Consideration regarding new legislation;
- Neighbourhood Resolution Panels a form of Restorative Justice. Implementation of further referrals to this service from the Borough Council.

### **Natalie Snell**

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## NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

### Briefing Note for Scrutiny – June 2013

#### Joint Municipal Waste Management Strategy for Staffordshire – Draft Document for Consultation

#### Background

The refreshed Joint Municipal Waste Management Strategy (JMWMS) has been developed and produced by the Staffordshire Waste Partnership, which consists of all of the authorities within Staffordshire with a waste function, whether it be collection (WCA), disposal (WDA), or in the case of Stoke-on-Trent, both (UA). For clarification therefore the partnership consists of:-

- Cannock Chase District Council - WCA;
- East Staffordshire Borough Council - WCA;
- Lichfield District Council - WCA;
- Newcastle-under-Lyme Borough Council - WCA;
- South Staffordshire District Council - WCA;
- Stafford Borough Council - WCA;
- Staffordshire Moorlands District Council - WCA;
- Staffordshire County Council - WDA;
- Stoke-on-Trent City Council - UA and
- Tamworth Borough Council - WCA

The partnership has a Joint Waste Management Board (JWMB) which consists of senior officers and Members with responsibility for waste as part of their portfolio. The JWMB meets on a quarterly basis to share best practice, develop new ideas and monitor performance of all the partners. The current JMWMS was last refreshed in 2007 and set out how all ten of the waste authorities in Staffordshire would move towards Zero Waste to Landfill by 2020. With construction of the new Energy from waste plant (EfW) in the south of the county, known as 'project W2R' well underway, and completion on target for the end of 2013, the partnership will only landfill a very small amount of the material (less than 5%) collected. As a partnership we are now recycling and composting over 50% of the waste we collect, and therefore the partnership has achieved its core objective as far as practicably possible.

In agreeing to refresh the JMWMS in 2012, the JWMB recognised this milestone had been met, and that the issues surrounding effective and sustainable waste management has changed substantially since 2007.

The Waste Hierarchy needs to be more effectively embedded in the new document, with Waste Prevention at the forefront of our thinking. Commercial and Trade Waste also needs to be incorporated, rather than concentrating on purely household waste as before.

The current JMWMS does not effectively incorporate strategies and policies adopted by individual authorities within the JWMB, and a refreshed document needs to redress the balance more effectively. The proposal therefore is for individual authorities waste and minimisation strategies to be refreshed at the same time therefore allowing the JMWMS to be a simple overarching document which sits above the individual authority documents.

Allowing individual partner authorities to develop their own waste strategies recognises individual authority aspirations and needs of their communities. The process for refreshing Newcastle's Recycling and Waste management strategy is currently in the process of development being led by

a cross party group of members via a Cabinet Panel. As Newcastle's strategy develops further updates can be provided to the scrutiny committee as requested.

This will provide a clear framework of infrastructure requirements over the next five to ten years, especially in the north and east of the county, and in particular what we do to replace the current Northern EfW (Hanford) contract which expires in 2020.

Additionally there is a need to understand our neighbouring authorities intentions, again particularly in the North and East of the County, where proposals involving PFI have run into difficulties, as there may be opportunities to provide more effectively positioned infrastructure.

In conclusion therefore the refreshed JMWMS will incorporate the following:

- That we treat waste as a resource, not a problem;
- Include clear recognition of partner authority's waste minimisation and recycling strategies;
- Incorporate a waste minimisation and re-use strategy;
- Explore fully the potential to increase work with 3<sup>rd</sup> Sector organisations;
- Incorporate a strategy for dealing with commercial waste;
- Set a clear framework for infrastructure requirements which consider a wide range of technologies to ensure we recover the maximum value from the materials we collect;
- Considers options for the north of the County and Stoke-on-Trent when the current contract arrangements for the Hanford EfW plant come to an end in 2020;
- Working in partnership to maximise external funding opportunities.

Development of the refreshed JMWMS 2013 has taken place over the last twelve months, utilising the partnerships own resources. Newcastle under Lyme Borough Council have been the project lead for the refreshed strategy, and the process managed by an officer steering group, consisting of the Chair of the Staffordshire Waste Officers Group (SWOG) the Chair of the Staffordshire Recycling Officers Group (ROG) a lead officer from one of the WCA's, a lead officer from the WDA, and a lead officer from Stoke-on-Trent UA, with the support of an officer on a part time basis from the Staffordshire Waste Partnership.

Events have been undertaken for officers and members of the JWMB to set their vision and aspirations, which has culminated in the adoption of six key principles to which the refreshed strategy will focus:

- Waste Prevention;
- Efficiency Savings;
- Resource Recovery;
- Carbon Reduction;
- Infrastructure & Contracts;
- Municipal Waste Household & Commercial (providing more efficient customer focused services).

These key principles have been further developed into a draft delivery plan which was formally approved by the JWMB at its meeting in October 2012.

## **Issues**

In developing a refreshed strategy for the partnership it was recognised that account needed to be taken of individual authority's needs and circumstances, particularly in the current economic climate with severe pressure on financial resources.



## **Proposal**

The timetable for formal adoption of the refreshed JMWMS 2013 is detailed below:

- Members to take away and review the draft JMWMS 2013 in their respective authorities as part of the formal consultation process by the end of September 2013;
- Any amendments following the consultation exercise to be agreed by partner authorities and incorporated into a final document to be presented for final approval by the JWMB at its scheduled meeting in January 2014.

## **Reasons for Preferred Solution**

Developing the JMWMS as a simple overarching strategy allows individual partner authorities to develop their detailed strategies and delivery plans which take account of the six overarching principles of the JMWMS and allow them to develop their services in a way which reflects the needs and aspirations of individual authority communities. The methodology also allows flexibility in providing a structure which allows authorities to work more closely together and potentially share services, where there is mutual benefit to those authorities.

## **Legal and Statutory Implications**

Under the Waste and Emissions Trading Act 2003, local authorities had a statutory duty to produce Joint Municipal Waste Management Strategies (JMWMS), unless authorities achieved "excellent" in their Comprehensive Performance Assessment. These exemptions are no longer valid and government is currently consulting local authorities on the statutory duty to produce JMWMS's

If the statutory duty to prepare a JMWMS is removed, the JWMB agreed it still wished to produce a strategy as best practice.

## **Financial and Resource Implications**

There will be some resource implications for members and officers time. Further financial and resource implications will be identified once the Councils own Waste strategy is agreed and finalised.

## **Background Papers**

A copy of the draft strategy document will be tabled at the meeting.

### **Andrew Bird**

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## NEWCASTLE BOROUGH COUNCIL

### Briefing Note for Scrutiny – June 2013

#### Planning a Work Programme

##### **Purpose of the Briefing Note**

To assist the Cleaner, Greener and Safer Communities Overview and Scrutiny Committee in the development of a work programme for the 2013-14 municipal year. It is important that Members develop a realistic and flexible work programme for overview and scrutiny which contributes to the Council's priorities and provides opportunities to hold decision-makers to account.

##### **Recommendations**

- (a) That the Committee identify topics for scrutiny activity within its work programme for the 2013-14 municipal year.
- (b) That the timetabling of items and any amendments or additions to the work programme be agreed by the Chair of the Committee.

##### **Background**

During 2012-13, the Cleaner, Greener and Safer Committee focused on the Safer and Stronger Communities Strategy, the Alcohol Strategy and Alcohol Action Plan, the Carbon Management Plan, the move of the Local Policing Team in Kidsgrove, the relocation of Fenton Magistrates Courts to Newcastle, Warm Zone and Let's Work Together.

This briefing note asks the Committee to identify areas for inclusion within its work programme for the 2013-14 municipal year.

##### **What Activity Should Be Included in a Work Programme?**

The Centre for Public Scrutiny has identified four principles which are generally accepted as forming the basis of overview and scrutiny activity. These principles are:

- Provide 'critical friend' challenge to Executives, as well as external authorities and agencies;
- Reflect the voice and concerns of the public and its communities;
- Take the lead and own the scrutiny process on behalf of the public;
- Make an impact on the delivery of public services.

These principles will form the basis of our evaluation of the effectiveness of the overview and scrutiny arrangements.

The overview and scrutiny committees will be responsible for setting their own work programme and in doing so they shall take into account the wishes of Members on that committee.

The overview and scrutiny committees will also respond, as soon as their work programme permits, to requests from the Overview and Scrutiny Co-ordinating Committee, the Council and/or the Cabinet to review particular areas of Council activity. Where they do so, the overview and scrutiny committees

shall report their findings and any recommendations back to the Cabinet and/or Council within 2 months of receiving it or as soon as is reasonably practical.

Once it has formed recommendations on proposals for development, the overview and scrutiny committee will prepare a formal report and the Chief Executive will submit it for consideration by the Cabinet (if the proposals are consistent with the existing budgetary and policy framework), or to the Council as appropriate (e.g. if the recommendation would require a departure from or a change to the agreed budget and policy framework)

The Council or Cabinet shall consider the report of the overview and scrutiny committee within two months of it being submitted to the Chief Executive or as soon as is reasonably practical

From time to time, ad hoc recommendations to the Cabinet may arise from discussion at meetings of the overview and scrutiny committees. These recommendations will be passed directly to the relevant Portfolio Holder who will be required to respond to the relevant overview and scrutiny committee within two months, or as soon as is reasonably practicable. The Portfolio Holder will invite the relevant overview and scrutiny committee Chair or Vice Chair to a meeting of the Cabinet to explain the reasons for the recommendation.

Overview and scrutiny committees may make proposals to the Cabinet for developments insofar as they relate to matters within their terms of reference

Overview and scrutiny committees may hold inquiries and investigate the available options for the future direction of the Council and may appoint advisers and assessors to assist them in this process. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations. They may ask witnesses to attend to address them on any matter under consideration.

## **Performance Management and Review**

Overview and scrutiny has a key role to play in helping to improve the performance of the Council, for example by looking at performance data, achievements against performance indicators or targets and also scrutinising external inspection reports. The Council's performance management framework provides a quarterly cycle of reporting of performance information to the Cabinet. Overview and scrutiny therefore has a performance monitoring and review role in respect of agreed action plans and can make recommendations thereon.

**Holding the Cabinet to Account** – this comprises two key aspects:

- Scrutinising proposed decisions by the Cabinet collectively or individually through 'call-in' procedures as specified in the Constitution;
- Scrutinising the impact of decisions taken after they have been implemented.

## **External Challenge**

The Local Government and Public Involvement in Health Act 2007 (as amended by the Localism Act 2011) provides for a local authority's overview and scrutiny arrangements to develop a strong outward focus, encouraging participation from partners and the public. One aspect of this is external scrutiny – scrutinising the work and impact of external agencies on a Council's community. Public agencies, such as health service organisations, the fire and rescue authority, the waste disposal authority, the Chief officer of Police, the Probation Board or Youth Offending Team, the Environment Agency and the Health and Safety Executive or voluntary and private sector organisations.

There is a duty, which is again similar to the previous duty on health service bodies, for partner authorities to “have a regard to” a report or recommendations made by the scrutiny committee. The phrase, “have a regard to” is commonly agreed to mean that the partner authority cannot ignore the report, but it does not have to provide a formal response; however a formal response can of course be requested.

It may be possible to challenge a decision made by, say the Environment Agency, if they had ignored the scrutiny committee’s report when making a decision.

These powers should also be seen in the context of the “general power of competence” in the Localism Act. Local authorities now have far wider powers to influence policy and public service delivery in their area. As a function of the council, scrutiny can use these powers to investigate issues beyond its traditional remit, but which nonetheless affect local people.

The Councillor Call for Action (CCfA) allows all councillors in England to refer matters of concern within the community to their local Overview and Scrutiny Committee. The aim of this new measure is to provide ward councillors with additional powers to enable them to respond to local community concerns which have proved difficult to resolve.

The CCfA process emphasises the role of ward councillors as ‘community champions’ and is a clear recognition by government of the role that ward councillors can play in developing community engagement and providing local leadership.

Under CCfA, ward councillors are able refer issues to Overview and Scrutiny Committee where it can be shown that these are of a genuine and persistent locality concern, that the issue is not subject to ongoing legal processes and where other courses of action have failed to resolve the matter. The powers to raise a CCfA were established in April 2009 and guidance followed the department for Communities and Local Government.

The Localism Act (2011) has provided further clarification on the matters or concerns that can be referred through the CCfA process:

- Ward councillors are no longer restricted to referring matters of 'local government' concern to Overview and Scrutiny Committee;
- Matters which are referred to Overview and Scrutiny Committee must be relevant to the functions of the Overview and Scrutiny Committee;
- Matters must be referred to the main Overview and Scrutiny Committee, though this committee can subsequently decide that a sub-committee or panel may deal with the matter.

## **Local Area**

The above encapsulate opportunities to work closely with and involve the Cabinet, officers, partner agencies and authorities, the public and its communities in overview and scrutiny activity whilst demonstrating how the function can contribute to improving both public services and the quality of life of our various communities.

## **Topics for the Work Programme**

Having regard to the information above, it may be useful for Members to be reminded of the service areas which come under the remit of this Committee:

- Anti-social Behaviour Orders;

- Civil contingencies;
- CCTV;
- Community cohesion and safety;
- Community Safety and Section 17;
- Decriminalised parking enforcement and on-street parking;
- Emergency planning;
- Older people;
- Crime and Disorder Reduction Partnership;
- Street and community wardens;
- Buses and concessionary travel and taxis;
- Car park management;
- Climate change, sustainability and energy efficiency;
- Environmental enforcement;
- Environmental health;
- Flooding and drainage;
- Highways and transport (operational);
- Recycling and waste management;
- Streetscene – litter, grounds maintenance, parks and gardens.

Overview and scrutiny should always focus its activity on areas which are the most important to local people and the Council and which will have the greatest impact.

### **The Role of this Committee**

Areas of activity and interest will develop over the course of the year and it is wise to build in some flexibility to the work programme of the Committee to ensure that it is able to meet the challenges that lie ahead. Having a realistic and flexible work programme is necessary to being successful in scrutiny. The Committee may have to consider decisions that are called-in or may determine to examine a proposed decision that has been published in the Forward Plan by the Cabinet – this is known as pre-decision scrutiny and enables Members to influence decisions before they have been taken.

### **What Happens Next?**

In the event of the Committee identifying and agreeing areas for inclusion within the work programme, the Chair of the Committee will work with Member Services and consult the Portfolio Holders and Executive Directors on the timetabling of items for the work programme, having regard to the dates of meetings that have been arranged and to develop a scrutiny brief for the identified topic. It should be noted that further meetings can be arranged if required to meet the workload of the Committee.

If the Committee determines to establish a working group, Members are reminded that the members of scrutiny working groups do not necessarily need to be members of the 'parent' committee, nor do they need to reflect political balance, but they do have to consist of non-Executive Members of the Council.

### **Summary**

This report highlights the kind of Overview and Scrutiny activities that the Committee should be undertaking and also highlights a number of areas which the committee may wish to examine over the coming year. It is important to secure the development of Overview and Scrutiny and, more importantly, the involvement of Members in issues surrounding the authority's performance, finances and transformation agenda that a clear, flexible and realistic work programme is agreed.

## **Outcomes Linked to Corporate Priorities**

It is envisaged that the activity of the overview and scrutiny committees will lead to improved outcomes which support the overall priorities of the Council.

### **Louise Stevenson**

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**Red** – Scrutiny Considered Urgent

**Amber** – Currently under scrutiny/ongoing scrutiny topic

**Green** – Scrutiny complete

**No Colour** – Awaiting scrutiny

### CLEANER, GREENER AND SAFER COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE

Title	Forward Plan Item?	Scrutiny Method	Progress to Date/Actions from last Meeting	Expected Completion Date	Expected Outcomes/Date for Progress to be Assessed
Alcohol Strategy <b>(AMBER)</b>		Full Committee	<ul style="list-style-type: none"> <li>Update for each meeting and regular updates for revised action plan.</li> <li>Updates on projects to be received 05.06.2013</li> </ul>	Rolling Scrutiny	
Waste & Recycling Strategy	Yes – previously considered by Cabinet	TBC	<ul style="list-style-type: none"> <li>Cabinet Panel approved at Cabinet 17.10.2012.</li> <li>Scrutiny will receive after Cabinet Panel.</li> </ul>		
Development of a Stronger & Safer Communities Strategy for NUL <b>(AMBER)</b>	Yes – previously considered by Cabinet		<ul style="list-style-type: none"> <li>Updated strategy &amp; action plan considered 05.09.12 - CGS supportive. Strategy approved by Cabinet 14.11.2012</li> <li>Update 28.02.13 re Stronger &amp; Safer Strategy.</li> <li>Police &amp; Crime Commissioner to attend 04.12.13 meeting.</li> </ul>	Rolling Scrutiny	
Policing in Kidsgrove & Rural Areas <b>(GREEN)</b>	No	Full Committee	<ul style="list-style-type: none"> <li>C.I. Hulme attended 30.07.12, will attend future meeting after move into Kidsgrove Town Hall.</li> <li>Attended 05.12.12 &amp; provided updates re Kidsgrove move &amp; move into Civic Offices.</li> </ul>		
Magistrates Courts Move – Fenton to Newcastle <b>(AMBER)</b>	No	Officer Partner Working Group	<ul style="list-style-type: none"> <li>Partners invited 05.09.12 to consider move. Court rep unable to attend, officer/partner wg set up to monitor move.</li> <li>Agreed at 2nd wg meeting that a newsletter be distributed to local businesses – this was distributed in early Dec.</li> <li>3<sup>rd</sup> wg meeting 17.01.13. Feedback positive, wg to review in 6 months.</li> <li>CGS received update 28.02.13</li> </ul>		Working group to review in June 2013
Warm Zone Delivery of Green Deal <b>(AMBER)</b>	Yes	TBC	<ul style="list-style-type: none"> <li>CGS supported continuing as is, a resounding success.</li> <li>Cabinet resolved 17.10.12 - NBC continues support to maximise uptake of funds &amp; officers discuss funding level required with view to allocation of funds as part of Housing Capital Programme alongside 13/14 budget setting process</li> </ul>		

			<ul style="list-style-type: none"> <li>Update expected April/May</li> </ul>		
Newcastle Partnerships Structure/ (AMBER)			<ul style="list-style-type: none"> <li>Update provided at meeting on 05.09.2012.</li> </ul>		
Let's Work Together			<p>Report received on 28.02.2013. It was requested that a Member training session be held for the Let's work together initiative.</p> <p>Comparative figures for ASB were requested and a report re ASB be provided at a future meeting.</p> <p>Briefing note re ASB to be considered 05.06.2013.</p>		
Carbon Management Plan	Yes – previously considered by Cabinet		Update received 28.02.13 to enable Members to review progress of the delivery of the Carbon Management Plan.		
Joint Municipal Waste Management Strategy for Staffordshire -Draft Document for Consultation		Full Committee	Report to be considered 05.06.2013		

**MEMBERS SUGGESTIONS FOR SCRUTINY TOPICS**

**Suggested by:**

**Suggestion for Scrutiny Topic:**

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